

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/04/13, I met with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) office phone number is (b)(6), (b)(7)(C) and his cell phone number is (b)(6), (b)(7)(C). In addition, the farms are (b)(6), (b)(7)(C) at the residence address.

3. The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

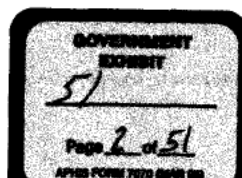
4. (b)(6), (b)(7)(C) stated that he had planted a blend mix of West Breed 528 on the land leased by him in (b)(6), (b)(7)(C). He explained that he purchased the seed in bulk from (b)(6), (b)(7)(C) however, he did not have any seed tags showing the certification or purity of the seed. He stated that he hauls his own seed via trucks that are owned by him. He explained that after planting his crop he cleaned his drill with a shop vacuum and cleaned his truck with a high pressure air blower followed by a thorough wash using water.

5. He stated that he chem-fallowed his land after harvest with Roundup using ground sprayers and that he sometimes will hire aerial applicators. He stated that his normal protocol for weed controls was spraying three round-up applications at the seedling growth stage in April 20th, end of May and end of June. He stated that he never had any problems killing off the volunteers in the wheat. He explained that at times he has used Traction, the Chinese equivalent of Roundup, but had better results with Roundup.

6. In addition, he confirmed that he has never had a problem with the glyphosate not working. However, he explained that if a certain herbicide is not working, he then uses tillage to get rid of weeds.

7. (b) (6) stated he purchased the herbicides from (b)(6), (b)(7)(C) and that he mixes his own herbicides with tap water and surfactants. He explained that he uses his own sprayer and that it is used for everything. He stated that he does all his own farming and that he has his own equipment. He explained that he does not keep any of his own grain and that his farming equipment is cleaned after every use. He stated that his equipment has never been used by another grower and that it's used the same every year.

8. (b) (6) (7)(C) stated that he leases the land he farms and has been operating in the same fashion since (b) (6). He stated that he owns part of the land, but has never leased that part to anyone. He stated that he is not aware of any growers having any problems with volunteers surviving neither glyphosate nor other herbicide applications. He stated that he stores his own grain at his farm, but that he does not hold any seed over from one year to plant it the next year.



9. He confirms that he has leased test plots to (b)(6), (b)(6), (b)(7)(C) in an attempt to develop different wheat varieties. In addition, he currently has one test plot of spring wheat leased by (b)(6) for testing new cultivars for the Pacific North West. He confirmed that he never keeps any of the wheat samples from when he plants or from when he harvest.

10. Furthermore, (b)(6) confirmed that he had never experienced a failure of the glyphosate product that he had used to control volunteer wheat plants in his fields. I then thanked (b)(6) for his cooperation and excused myself.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 4, 2013.

(b)(6), (b)(7)(C)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

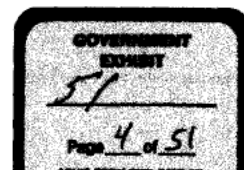
2. On 06/05/13, I conducted a telephone interview with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) office phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6) (b)(6) was to obtain information from him regarding a test plot of spring wheat leased by (b)(4)

4. (b)(6) (b)(6) stated that he was a (b)(6), (b)(7)(C) for (b)(6) and confirmed that he was in charge of monitoring a test plot at (b)(4). He also confirmed that the land was farmed and owned by (b)(6), (b)(7)(C)

5. He stated the test plot was being used to experiment with different experimental lines of new wheat or spring wheat varieties such as hard red, soft white and hard white for a potential release to the Pacific North West.

6. He stated that there have never been any problems killing off the volunteers in the test plot in question or any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat.

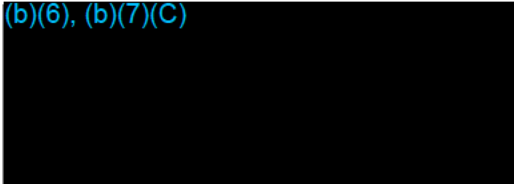


7. He stated that he is strictly a (b)(6), (b)(7) and not involved in the farming or harvesting process of the test plot. He explained that the farming is the responsibility of the owner of the farm.

8. He stated that he has not heard of anybody else having the problems in question other than what he has heard of the situation in Oregon. I thanked him for his cooperation and informed him that he can contact me if he had any concerns or questions.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 5, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

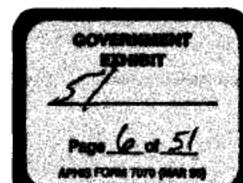
2. On 06/05/13, I conducted a telephone interview with (b)(6)(b)(6), (b)(6), (C) (b)(7) for (b)(4)

(b)(6), (b)(7) office phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding test plots of several different varieties of wheat leased by (b)(6) and located at (b)(6), (b)(7) (b)(7).

4. (b)(6), (b)(7) stated that (b)(6) has been testing at (b)(6) for approximately (b)(6) years and that approximately (b)(6) of wheat varieties from those tests have been released in the Pacific North West. He explained that since (b)(6), (b)(6) has yielded approximately (b)(6) spring wheat varieties and approximately (b)(6) winter wheat varieties. (b)(6), (b)(6), (b)(7) stated that the farmer always plants on fallow ground and ground that has no voluntary wheat. He also confirmed that the land was farmed and owned by (b)(6), (b)(7)(C).

5. He stated that the test plot was being used to experiment for (b)(6) yield trials and that there were never any problems killing off the volunteers in the test plot in question or failure of the effectiveness of glyphosate products when used to control volunteer winter wheat.



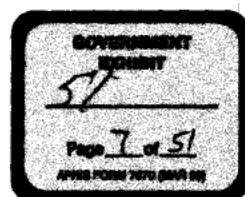

6. He stated that the farmer has always sprayed with roundup and that he did not know of anybody having any problems with the effectiveness of glyphosate products when using them to control volunteer wheat, other than what he has heard of the situation in Oregon. Furthermore, I explained to (b)(6), (b)(7) that I would need the name of the varieties in question and he agreed to email me a list of winter and spring wheat varieties that were tested at (b)(6) since 2008.

7. I thanked him for his cooperation and informed him that he can contact me if he had any concerns or questions.

8. Shortly after our conversation I received the list of wheat varieties in question.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 5, 2013.

(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C) - APHIS

From: (b)(6), (b)(7)(C)
Sent: Wednesday, June 05, 2013 1:46 PM
To: (b)(6), (b)(7) - APHIS
Subject: (b)(6), (b)(7)(C)
Attachments: (b)(6), (b)(7)(C)

Sorry about that.

(b)(6), (b)(7)(C)

"This message may contain confidential information. If you are not the designated recipient, please notify the sender immediately, and delete the original and any copies. Any use of the message by you is prohibited."

From: (b)(6), (b)(7)(C)
Sent: Wednesday, June 05, 2013 11:53 AM
To: (b)(6), (b)(7) @aphis.usda.gov
Subject: (b)(6), (b)(7)(C)

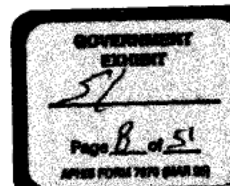
(b)

Attached is an excel file that lists spring and winter wheat released varieties that (b)(4) used as checks in experiments planted in (b)(4) for the years (b)(4). I've included the year of harvest, the experiment number, entry number in that experiment and the variety name. These varieties were, in many cases, used as checks in multiple trials. I've removed the redundancy so what remains is one listing per variety per year.

Let me know if there is any other information I can help with.

(b)(6), (b)(7)(C) (b)

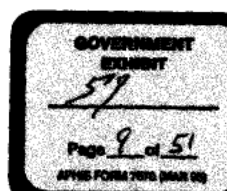
This message may contain confidential information. If you are not the designated recipient, please notify the sender immediately, and delete the original and any copies. Any use of the message by you is prohibited.



Spring Wheat W

YEAR	EXP	ENT	VARIETY
(b) (4)	11	1	(b) (4)
	11	2	
	11	3	
	11	4	
	11	5	
	11	6	
	11	7	
	11	8	
	11	9	
	11	10	
	11	1	
	11	2	
	11	3	
	11	4	
	11	5	
	11	6	
	11	7	
	11	8	
	11	9	
	11	10	
	11	11	
	14	1	
	14	2	
	14	3	
	14	5	
	14	8	
	15	1	
	15	2	
	15	3	
	15	4	
	11	1	
	11	2	
	11	3	
	11	4	
	11	5	
	11	6	
	11	7	
	11	8	
	11	9	
	11	20	
	11	21	
	14	1	
	14	2	
	14	3	
	14	26	
	14	27	

OR120018_BR_002092



(b) (4)	15	1	(b) (4)
	15	2	
	15	3	
	15	4	
	15	24	
	11	1	
	11	2	
	11	3	
	11	4	
	11	5	
	11	6	
	11	7	
	14	1	
	14	2	
	14	3	
	15	1	
	15	2	
	15	3	
	15	4	
	11	1	
	11	2	
	11	3	
	11	4	
	11	38	
	11	1	
	11	2	
	11	3	
	11	4	
	11	5	
	11	43	
	12	1	
	12	2	
	12	3	
	12	4	
	12	6	
	12	7	
	12	14	

(b) (4)

1	8
1	9
1	10
1	11
1	12
1	13
1	14
1	15
1	16
1	17
1	19
1	20
1	21
1	22
1	23
1	24
20	1
20	10
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	8
2	1
2	2
2	3
2	4
2	5
20	1
20	9
20	10
80	2
81	2
101	2
101	4
101	16
102	4
102	5
102	6
102	7
102	8
102	10
102	11
102	27

(b) (4)

(b) (4)	1	9	(b) (4)
	1	10	
	1	11	
	1	12	
	2	1	
	2	2	
	2	3	
	2	4	
	2	6	
	2	7	
	2	8	
	2	35	
	2	36	
	5	3	
	5	23	
	1	1	
	1	2	
	1	3	
	1	4	
	1	5	
	1	6	
	1	7	
	1	8	
	1	9	
	1	10	
	1	11	
	1	12	
	1	13	
	2	1	
	2	2	
	2	3	
	2	4	
	2	5	
	2	6	
	2	7	
	2	15	
	20	1	
	20	3	
	20	20	
	20	27	
	1	1	
	1	2	
	1	3	
	1	4	
	1	5	
	1	6	
	1	7	

(b) (4)

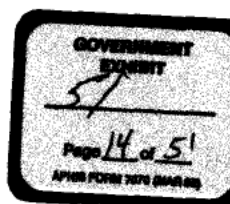
EXP	ENT
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	39
1	40
1	41
2	1
2	2
2	3
2	4
2	17
2	18
2	28
2	29
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	8
1	9
1	10
1	17
1	18
1	19
2	1
2	2
2	3
2	7
2	8
2	12
4	11
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	8

(b) (4)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)
2. On 06/06/13, I received a telephone phone call from (b)(6), (b)(7)(C) informing me that she was now willing to answer my questions in regards to whether or not she had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after her fields had been harvested.
3. Therefore, I met with (b)(6), (b)(7)(C) at her (b)(6), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) stated that in addition to her farm, she is also responsible for (b)(6), (b)(7)(C).
4. (b)(6), (b)(7)(C) stated that (b)(6), (b)(7)(C) are owned by (b)(6), (b)(7)(C) and that they do not (b)(6), (b)(7)(C). She confirmed that she planted West Bred 528 "soft white" winter wheat seed in (b)(6) and that she purchased the seed in bulk from (b)(6), (b)(7)(C). Furthermore, she stated she does not have the seed tags and confirmed that she has never purchased or planted Rod winter wheat, Coda Club winter wheat and Club style winter wheat.
5. She stated that she does not grow any soybeans, corn or sugar beets and that her drill is cleaned with a high power air compressor. She stated that she hauls her own seed and cleans her truck with a high pressure air compressor prior to hauling the seed.



6. (b)(6), (b) stated she irrigates farms and does not dry-land farm on (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C). She stated that she uses herbicides that they do not contain glyphosate such as

Affinity, Starane and Topaz which is mixed with a surfactant called "Activate" and will (b)(6),

(b)(6), (b)(7)(C)

once a year to control weeds. She stated that she has not had any problem with the

(b)(6),

effectiveness of the chemicals used to eliminate weeds or volunteer wheat.

7. She explained that she has always purchased her herbicides and fungicides from

(b)(6), (b)(7)(C) and mixes the herbicides with well water. She stated that she owns

her own farming equipment and usually hires (b)(4), (b)(6), (b)(7)(C) to custom help with combining,

harvesting and trucking seed to the designated elevators. (b)(6), (b) confirmed she does not loan

out any of her farming equipment. (b)(6), (b) explained that after combining she chops up the

straw and spreads it on her field and that all her equipment is cleaned with water in between

uses. She stated that her farming equipment is used the same every year and has been operating

in this fashion forever.

8. In addition, she stated that neither she nor (b)(6), (b)(7)(C) is aware of any growers having

problems with wheat volunteers surviving glyphosate or any other herbicides other than the

incident in (b)(6), (b)(7)(C). She explained that either she or (b)(6), (b)(7)(C) have ever had any test plots on their

farm, but is aware that the farm (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) is growing genetically modified corn

that is leased by Monsanto and (b)(4).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 6, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

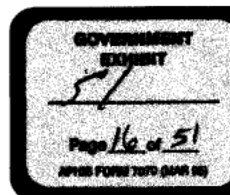
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2. On 06/04/13, I met with (b)(6), (b)(7)(C) at her residence located at (b)(6), (b)(7)(C)

3. The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from her regarding whether or not she had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after her fields had been harvested.

4. (b)(6), (b)(7)(C) approached me while driving her All-Terrain Vehicle and asked what I was doing in her property. I introduced myself and explained to (b)(6), (b)(7)(C) that I wanted to ask her a few simple questions in regards to her possibly experiencing any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after her fields had been harvested. She stated that she had no interest in talking to me at the moment because she was feeling sick. In addition, she also stated that in the future, she may not be interested in talking to me about the subject. I asked her if (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) and she said that it was (b)(6), (b)(7)(C) who lived (b)(6), (b)(7)(C).



5. Furthermore, she explained that she is responsible for the farm, and that her (b)(6), (b)(7) is (b)(6), (b)(7)(C) therefore she explained that I should not attempt to talk to (b)(6), (b)(7)(C) because he was (b)(6), (b)(7)(C) I thanked (b)(6), (b)(7)(C) for her time and gave her my business card informing her that if she changed her mind about discussing the subject, that I would make myself available to her. I then excused myself and left her property without incident.

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(b)(6), (b)(7)(C)

DECLARATION OF (b)(6), (b)(7)(C)

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1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/06/13, I met with (b)(4), (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) farm located at (b)(4), (b)(6), (b)(7)(C).

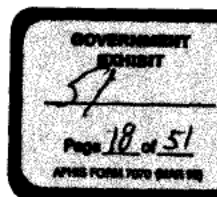
3. The purpose of my contacting (b)(4) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after fields had been harvested.

4. (b)(4) stated he had cooperated with USDA investigator (b)(6), (b)(7)(C) by answering her questions in regards to glyphosate products and Roundup-Ready wheat. He explained that (b)(6), (b)(7) gave him her business card and informed him that if he had questions regarding his interview that he could contact her.

5. In addition, (b)(4) provides custom help such as Combining and hauling seed for (b)(6), (b)(7)(C) farm and farming for (b)(4), (b)(6), (b)(7)(C).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 6, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

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2. On 06/07/13, I met with (b)(4), (b)(6), (b)(4), (b)(4), (b)(6), (b) at his farm located at (b) (b) phone number is (b)(4), (b)(6), (b).

3. The purpose of my contacting (b) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b) stated that he owns and leases the ground he farms and planted Rod winter wheat seed "Soft White" in (b) (b)(6), (b) stated he farms on dry land and chem-fallow prior to planting by mowing and then spraying with Roundup "RT3" mixed with surfactant "Synergize" or "24D" at least three to four times a year. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. However, he does not know where the seed was grown, nor does he have the seed tags. He also confirmed that he has never purchased or planted Coda Club winter wheat, Club style winter wheat or West Bred 528 winter wheat.

5. He stated that he does not grow any soybeans, corn or sugar beets and that his drill is cleaned with an air compressor and the truck is cleaned using a broom.

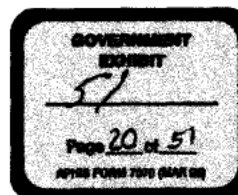


6. (b)(6), (b)(7)(C) stated he uses a dedicated ground sprayer to spray "RT3" in order to control weeds and grasses. He stated that he has not had any problem with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he has always purchased his chemicals from (b)(6), (b)(7)(C) and mixes the chemical with tap water. He stated that he owns his own farming equipment and does not hire custom help. However, he uses a field consultant from (b)(6), (b)(7)(C) named (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) confirmed he does not loan out any of his farming equipment and mows up the straw and leaves it. His equipment is cleaned with water after every use and used the same every year operating in this fashion for the last (b)(6), (b)(7)(C) years.

7. He stated that he transports his harvest to (b)(6), (b)(7)(C) located in (b)(6), (b)(7)(C). He explained that he does not keep wheat samples when planting or harvesting. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in (b)(6), (b)(7)(C) or Monsanto having wheat trials in (b)(6), (b)(7)(C) other than the incident in Oregon. He explained that he has never had test plots on his farm and is not aware of anyone having test plots in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 7, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/07/13, I met with (b)(6), (b)(7)(C) at his residence located at (b)(4), (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C)

3. The purpose of my contacting (b)(6), was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), stated that he owns the land he farms and has planted West Bred 528 "soft white" winter wheat seed in (b)(6), (b)(7)(C) and Rod winter seed "soft white" in (b)(6), (b)(7)(C) He purchased the seed in bulk from (b)(6), (b)(7)(C) and hauled it himself. However, he does not know where the seed was grown, nor does he have the seed tags. He also confirmed that he has never purchased or planted Coda Club winter wheat or Club style winter wheat.

5. He stated that he does not grow any soybeans, corn or sugar beets and that his drill is cleaned with a high power air compressor and vacuum. He stated that cleans his truck using a high pressure air compressor prior to hauling the seed.

6. (b)(6), stated he irrigation farms and does not dry-land farm on his land and uses herbicides to control weeds that do not contain glyphosate such as "24D" broadleaf mixed with



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

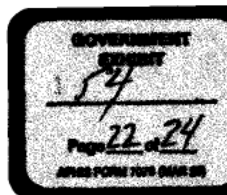
1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg. (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C). I can also be contacted via email at (b)(6), (b)(7)(C), [aphis.usda.gov](mailto:(b)(6), (b)(7)(C)@aphis.usda.gov).

This declaration documents the details of my conversation with (b)(6), (b)(7)(C) of a dry land farm located at (b)(6), (b)(7)(C). The interview I conducted with (b)(6), (b)(7)(C) was for OR130018-BR.

2. On 6/7/13, I traveled out to (b)(6), (b)(7)(C) farm. Upon arrival, I informed (b)(6), (b)(7)(C) that I needed to meet with him for obtaining information pertaining to his farming operation through a series of questions. I explained to (b)(6), (b)(7)(C) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
3. (b)(6), (b)(7)(C) willingly agreed to speak with me.
4. I provided (b)(6), (b)(7)(C) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7)(C) provided me with the follow information:

5. (b)(6), (b)(7)(C) stated that he has not observed any volunteer wheat growing in his fields after spraying herbicides containing the active ingredient glyphosate.
6. (b)(6), (b)(7)(C) stated that his farming operation consist of a wheat/fallow practice. He indicated that he farms (b)(6), (b)(7)(C) acres and generally has approximately (b)(6), (b)(7)(C) of the (b)(6), (b)(7)(C) fallow in any given year. All dry land farming.

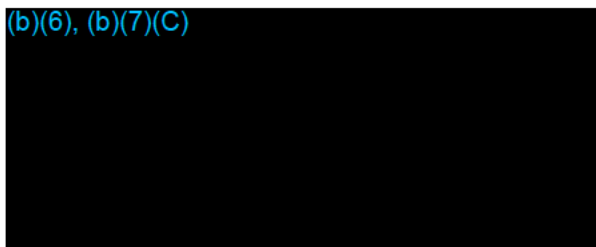


7. (b)(6), confirmed that (b)(6), (b)(7)(c) he did not plant the WB 528 wheat variety or any Club style variety including Coda Club. He stated that he did plant Rod winter wheat in (b)(6), (b)(7)(c) He confirmed that he plants a blend consisting of Legend, Tubbs, Rod and Skiles soft white. He also indicated that this year he will plant some club style wheat. All seed purchased in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(7)
8. (b)(6), stated that he only farms wheat; no other crops. He also confirmed that he does not grow any GMO crops.
9. (b)(6), stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, the weeds in the wheat crop are control by spraying with a blend of several herbicides consisting PowerFlex, 2, 4-D, Ally XP, and Salvo.
10. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brands of glyphosate used consist of RT 3 and Glystar. He indicated that a surfactant is used and all chemicals are mixed with well water and a water conditioner identified as Choice is added to the mix. He also, adds Solution 32 fertilizer to the tank mix. All chemicals purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7)
11. In June (pre-plant), the fallow ground will be plowed and then planted in September.
12. (b)(6), (b) stated that he owns his land and he uses his own equipment to prepare the ground and plant, but he rents the combine to harvest and rents a sprayer (80' tank) to spray. No custom planting, harvesting or spraying. All grain is sold through (b) (6)
13. (b)(6), indicated that he does not store grain on his farm nor does he retain grain for seed.
14. (b)(6), indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
15. He indicated that he does use a crop consultant service provided by (b) (6)

16. (b)(6), [REDACTED] concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/10/13, I met with (b)(6), (b)(7)(C) of (b)(6), (b)(7)(b)(6), (b)(7) of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(7)(C) who owns (b)(4), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6) stated that he owns over (b)(6) acres and has planted Rod winter wheat "Soft White" variety seed in (b)(6), (b)(7)(C) and Coda winter wheat "Soft White" in (b)(6), (b)(7)(C) on the land in question. (b)(6) stated he farms using Chem-Fallow practices and Fallow's using minimum tillage. He does not plant any wheat to grow for seed and never summer fallow his fields. He confirmed that he purchased the seed in bulk and bags from (b)(6), (b)(7)(C) and hauled it himself via truck. However, he does not know where the seed was grown, nor does he have the seed tags. He also confirmed that he has never purchased or planted Club style winter wheat, however, he has recently began planting West Bred 528 (WB). In the past four years he has planted WB 528 winter wheat and WB 553 winter wheat "Soft White" variety.



5. (b)(6), (b)(7) explains that he does not plant other crops or crops which are Genetically Modified. (b)(6), (b)(7) stated he uses a (b)(6), (b)(7)(C) named (b)(6), (b) who is employed by (b)(6), (b)(7)(C). (b)(6), (b)(7) explains that he uses herbicides on his farm to control weeds and grasses before they bolt by using a ground sprayer which sometimes contains glyphosate chemicals such as "Glystar Plus" mixed with surfactant "Spreader 90" from April through September, and sometimes to control the weed in wheat he will spray "24D" mixed with "Spreader 90" during March and April. In addition, the herbicides will change every year according to his consultant. He confirmed that he has never planted Roundup ready wheat nor have there ever been test plots on his land or does he know of anybody in the area with test plots.

6. Furthermore, he stated that he has not experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat, and is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in (b)(6), (b)(7)(C) or Monsanto having wheat trials in (b)(6), (b)(7)(C), other than the incident in Oregon.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 10, 2013.

(b)(6), (b)(7)(C)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/10/13, I met with (b)(6), (b)(7)(C) (b)(6), (b)(6), (b)(7)(C) owner of (b)(6), (b)(7) (b)(6), at his residence located at (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), (b)(7) stated that he owns and leases some of the ground he farms and has planted Rod winter wheat seed (Rod) "Soft White" in 2012, West Bred winter wheat seed (WB) "Soft White" in 2012 and Coda Club winter wheat in 2010, but has never planted Club style winter wheat (b)(6), (b)(7) stated he farms on dry land and chem-fallow prior to planting by mowing and then spraying with Roundup "RT3" mixed with surfactant "Activator 90" and has never had a problem with glyphosate not killing volunteers in wheat. He stated that he purchased the seeds in bulk from (b)(4) and hauls it himself via truck. However, he does not know where the seed was grown, nor does he have the seed tags.

5. He stated that he does not grow any soybeans, corn or sugar beets and that his drill is cleaned with a vacuum and the truck is cleaned using a pressure washer. (b)(6) (b)(7) stated he uses a dedicated ground sprayer to spray "RT3" in order to control weeds and grasses before they bolt during the months of April and March. In addition, he also sprays herbicide blends for broadleaf weeds such as "LV6" with surfactant "ALLY". He stated that he has not had any problem with the effectiveness of the chemicals used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he has always purchased his chemicals from (b)(6), (b)(7) (b)(6), (b)(7)(C) and mixes the chemicals with tap water. He stated that he owns his own farming equipment and will hire custom help for combining.

6. Furthermore, he uses a field consultant from (b)(6), (b)(7)(C) named (b)(6), (b)(7) confirmed he does not loan out any of his farming equipment and mows up the straw and leaves it. His equipment is cleaned with water pressure after every use and used the same every year operating in this fashion for the last (b)(6) years.

7. He stated that he transports his harvest to (b)(6), (b)(7)(C) located in (b)(6), (b)(7)(C). He explained that he does not keep wheat samples when planting or harvesting. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in (b)(6), (b)(7)(C) or Monsanto having wheat trials in (b)(6), (b)(7)(C) other than the incident in Oregon.

8. He explained that he does not have test plots and is not aware of anyone else having test plots in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 10, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/10/13, I met with (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C)

3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), (b)(7) stated that he owns approximately (b)(6) acres and has planted Rod winter wheat "Soft White" variety seed in (b)(6), (b)(7) on the land in question. (b)(6), (b)(7) stated he irrigates his fields, crops his field every year and uses traditional tillage. He stated that he has never summer fallow his fields. He confirmed that he purchased the seed in bulk and bags from (b)(6), (b)(7)(C) and hauled it himself via truck. However, he does not know where the seed was grown, nor does he have the seed tags. He also confirmed that he has never purchased or planted Coda Club winter wheat, Club style winter wheat or West Bred 528. In the past (b)(6), (b)(7)(C) years he has planted "Sinope hard red winter wheat".

5. (b)(6) explains that he also plants (b)(6), (b)(7)(C). (b)(6), (b)(7) stated he uses a field consultant named (b)(6), (b)(7) who is employed by (b)(6), (b)(7). (b)(6) explains that he uses herbicides to control weeds at his farm by using a ground sprayer to spray herbicides that do not contain glyphosate such as "Husky" mixed with surfactant" R11". In addition, the herbicides will change every year according to his consultant.

6. He confirmed that he has never planted Roundup ready wheat nor have there ever been test plots on his land or does he know of anybody in the area with test plots. He stated that after harvest there are generally weeds that emerge; therefore he occasionally will spray with Roundup to control the weed growth. In addition, after applying the Roundup, he has never had a problem with volunteer wheat or weeds.

7. Furthermore, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in (b)(6), (b)(7)(C) or Monsanto having wheat trials in (b)(6), (b)(7)(C), other than the incident in Oregon.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 10, 2013.

(b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen, and I am fully competent to make this declaration. I know that each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am a (b)(6), Investigator for the USDA Investigative and Enforcement Services. My address is 2150 Centre Ave Bldg. (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7). As an investigator I conduct interviews and collect evidence for enforcement to alleged violations of the Animal Health Protection Act and the Plant Protection and Quarantine Act. I have been working in this capacity for (b)(6), (b)(7)(C)
2. On 06/10/2013 I traveled to the residence of (b)(4), (b)(6), (b)(7)(C)
3. I attempted to contact someone at the residence at 12:30 hours and 15:35 hours without success. I also left a business card on the door of the residence and left a message on the answering machine at (b)(4), (b)(6), requesting a call back.
4. On 06/11/2013 at 08:50 I went by (b)(6), (b) residence at on (b)(4), again and observed that my business card was gone and another vehicle was parked outside the residence.
5. I was again unable to contact anyone in the residence at that time and I again called (b)(4), and left a message requesting a call back.
6. At 18:30 hours on 06/11/2013 and was able to catch someone at the residence. The female would not identify herself but stated that she was taken care of the (b) residence while they were (b)(6), (b)(7)(C). She stated that the (b) were in (b)(6), and would return to (b)(6), on (b)(6), (b)(7)(C). She stated that she had called the (b)(7) and notified that I was trying to reach them and that (b)(6), stated that he would be available to meet after he returns.
7. I requested a good number for the (b) and she stated that their home number was (b)(6), (b)

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2013

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/12/13, I met with (b)(6), (b)(7)(C) owner of (b)(4), (b)(6), (b)(7) at his residence located at (b)(6), (b)(7)(C) (b) (6) s phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6) stated that he owns (b)(6) acres and leases (b)(6) acres of farm land and planted Rod winter wheat seed "Soft White" in (b)(6), (b)(7)(C) stated he farms on dry land using summer fallow rotation by plowing and tillage. He explained that in the last four years he has planted "Zyrpha" soft white variety. He stated that he has never experienced any failure of the effectiveness of glyphosate not killing volunteers in wheat. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. He thinks the seed was probably grown by the (b)(6), (b)(7)(C) but he was not sure where the seed was grown, nor does he have the seed tags. He also confirmed that he has never purchased or planted Coda Club winter wheat or West Bred 528 winter wheat.



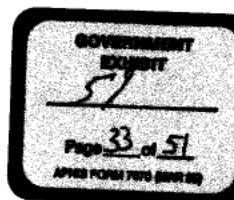
5. He stated that he does not grow any soybeans, corn or sugar beets and that his drill is cleaned with an air compressor and the truck is cleaned using the same.

6. (b)(6), (b)(7)(C) stated he uses a dedicated ground sprayer to spray "RT3" mixed with surfactant "M90 Sticker" and "Class Act" in the spring. In order to control weeds and grasses he also sprays herbicides "Maverick" mixed with surfactant "Sure Up" in spring and fall and "24D" and "Sure Up" in spring. He stated that he has not had any problems with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he purchases his chemicals from (b)(4) and adds tap water to the mix.

7. He stated that he owns his own farming equipment and will hire custom help for combining. However, he does use a field consultant named (b)(6), (b)(7)(C) from the (b)(4), (b)(6), (b)(7)(C) confirmed he does not loan out any of his farming equipment and plows up the straw and leaves it. His equipment is cleaned with water after every use and used the same every year operating in this fashion (b)(6), (b)(7)(C)

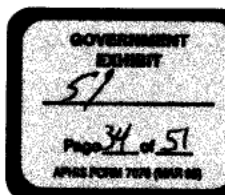
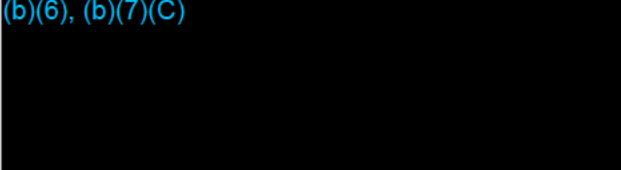
8. He stated that he transports his harvest to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). He explained that once in a while he will store grain at his farm and that in the past he has held seed over from one year and planted it the next year. However, he has never held wheat samples from when he plants or from harvest.

9. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in the (b)(6), (b)(7)(C) area or Monsanto having wheat trials in (b)(6), (b)(7)(C), other than the incident in Oregon. He explained that he has never had test plots on his farm and is not aware of anyone having test plots in the area.



Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 12, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)
2. On 06/13/13, I met with (b)(6), (b)(7) owner of (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C)
3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.
4. (b)(6), (b)(7) stated that he farms (b)(6), (b)(7) acres of land and planted (b)(6), (b)(7)(C) winter wheat seed "Soft White" in 2012. (b)(6), (b)(7) stated he farms on dry land using summer fallow rotation by plowing and traditional tillage once a year using a Moldboard plow. He explained that in the last four years he has only planted (b)(6), (b)(7)(C) variety and does not grow wheat to grow for seed. He stated that he has used glyphosate between plowing in spring and February and has never experienced any failure of the effectiveness of glyphosate not killing volunteers in wheat.
5. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. He does not know where the seed was grown or who grows it. He



also confirmed that he has never purchased or planted Coda Club, West Bred 528, Rod or Club style winter wheat seed. He stated that he does not grow any GMO soybeans, corn, sugar beets or canola, and only grows wheat.

6. (b)(6) [REDACTED] stated he uses a dedicated ground sprayer to spray herbicides in March such as "24D" mixed with surfactant "Powerflex" in order to control weeds and grasses and might spray a different herbicide depending on the type of wheat. He stated that he has not had any problems with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he purchases his chemicals from (b)(6), (b)(7)(C) [REDACTED] and adds tap water to the mix.

7. He stated that he owns his own farming equipment and does not hire custom help and does not have a field consultant. (b)(6), (b)(7) [REDACTED] confirmed he does not loan out any of his farming equipment and plows up the straw and leaves it. His equipment is cleaned with water after every use and used the same every year operating in this fashion for the last (b)(6) years.

8. He stated that he has never planted Roundup ready wheat and is not aware of any crop test plots in the area nor has he ever had any test plots on his farm.

9. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in the (b)(6), (b)(7)(C) [REDACTED] area or Monsanto having wheat trials in (b)(6), (b)(7)(C) [REDACTED] other than the incident in Oregon

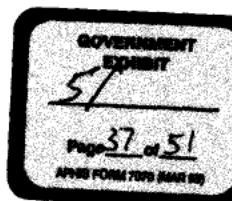
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 13, 2013.

(b)(6), (b)(7)(C) [REDACTED]

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)
2. On 06/13/13, I met with (b)(6), (b)(7)(C) owner of (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C) (b)(6), (b)(7) phone number is (b)(6), (b)(7)(C).
3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.
4. (b)(6), (b)(7) stated that he owns (b)(6), acres and farms approximately (b)(6), acres of land and has planted West Bred (WB) 528 winter wheat seed "Soft White" in (b)(6), (b)(7)(C) (b)(6), (b)(7) stated he farms on dry land using summer fallow rotation using traditional tillage and minimum tillage by multiple practices such as disk harrow, plow, cultivar and rod weeded.
5. He explained that in the last (b)(6), (b)(7)(C) he has planted "Stevens", WB528", WB102 and "Tubbs" "soft white" variety. He stated that he has not use glyphosate in a long time nor has he had a problem with volunteers in wheat. He explained that in the past he used it, but not for very long, and it always killed the wheat volunteers. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and (b)(6), (b)(7) and hauls it himself via truck. He does not know who grew the seed varieties and only plants wheat. However, he archives all his



seed certification and invoice statements and has them readily available if needed. He also confirmed that he has never purchased or planted Coda Club, Rod or Club style winter wheat.

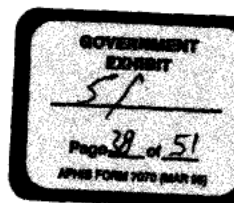
6. He stated that he does not grow any GMO crops such as soybeans, corn or sugar beets. (b)(6), (b)(7) stated he uses a dedicated ground sprayer to spray herbicides such as "Banvel" mixed with surfactant "R11" or "24D" mixed with "R11" during April in order to control the weeds. He stated that he has not had any problems with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he purchases his chemicals from (b)(6), (b)(7) and adds tap water to the mix.

7. He stated that he owns his own farming equipment and does not hire any custom help. He stated that he does use a field consultant or loan out any of his farming equipment. He confirmed that he has never planted Roundup ready wheat nor is he aware of anybody who has.

8. He explained that once in a while he will store grain at his farm and that in the past he has held seed over from one year and planted it the next year. However, he has never held wheat samples from when he plants or from harvest nor does he plant any wheat for seed or has had a field consultant.

9. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in the (b)(6), (b)(7)(C) area or Monsanto having wheat trials in (b)(6), (b)(7)(C), other than the incident in Oregon.

10. (b)(6), (b)(7) stated that he is aware of crop test plots in the area that are monitored by (b)(4). He explained that he conducts his own testing on different varieties of wheat for the best varieties for his ground. However, (b)(6), (b)(7)(C). He explained



that he has never had test plots for the purpose of generating more seed varieties and has never worked with a plant breeder. Furthermore, he explained that (b)(6), (b)(7)(C)

to demonstrate the use of a no till drill with different wheat varieties, however there were no GMO varieties used.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 13, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/14/13, I met with (b)(6), (b)(7) owner of (b)(6), (b)(7) at his residence located at (b)(6), (b)(7)(C). (b)(6) phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6) stated that he farms (b)(6), acres of land and planted West Bred (WB) 528 winter wheat seed "Soft White" in (b)(6), (b)(7) stated he farms using Chem Fallow practices in order to control weeds before they bolt by spraying glyphosate "RT3" in spring, summer and fall. He explained that in the last four years he has only planted "Stevens" and "WB528" variety and does not grow wheat to grow for seed. He stated that he has never experienced any failure of the effectiveness of glyphosate not killing volunteers in wheat.

5. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. He does not know where the seed was grown or who grows it. He also confirmed that he has never purchased or planted Coda Club, Rod or Club style winter

wheat seed. He stated that he also grows peas that are not GMO nor has he ever grown any GMO crops such as soybeans, corn, sugar beets or canola.

6. (b)(6), (b) stated he uses a dedicated ground sprayer to spray herbicides such as "ALLY" mixed with surfactant "Spreader 90" or a blend such as "ALLY", "SALVO" and "HUSKY" in April to control weeds and grasses. He stated that he has not had any problems with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explained that he purchases his chemicals from (b)(6), (b)(7)(C) and adds tap water to the mix.

7. He stated that he owns his own farming equipment and does not hire custom help, however he does hire a field consultant from (b)(6), (b)(7)(C). (b)(6), (b) confirmed he does not loan out any of his farming equipment and plows up the straw and leaves it. His equipment is cleaned with water after every use and used the same every year operating in this fashion for the last (b) years.

8. He stated that he has never planted Roundup ready wheat and is not aware of any crop test plots in the area. However, he explained that he had a test plot in (b)(6), (b)(7)(C) on the corner of (b)(6), (b)(7)(C) that was monitored by (b) (4) testing "Stevens", "WB528", "Rod" and "Skiles" for yield. (b)(6), (b) explains that the test did not involve any GMO wheat or other GMO crops and at the end of testing (b) (4) took they wanted with the remainder going to feed grain.


9. In addition, he stated that his neighbor, (b)(6), (b)(7) who lives (b)(6), (b)(7)(C) (b)(6), (b)(7) currently has a test plot to improve varieties; however he is not aware who is not monitoring the plot nor did he attend the field days at the site. Furthermore, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any

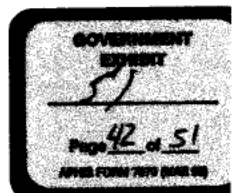


other herbicide applications in his area or Monsanto having wheat trials in (b)(6), (b)(7)(C), WA,
other than the incident in Oregon.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
and correct. This declaration was executed on June 14, 2013.

(b)(6), (b)(7)(C)





DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

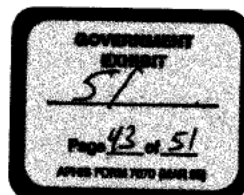
2. On 06/14/13, I met with (b)(6), (b)(7) owner of (b)(6), (b)(7)(C)

(b)(6), (b)(7) phone number is (b)(6), (b)(7)(C)

3. The purpose of my contacting (b)(6), (b)(7) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), (b)(7) stated that he farms (b)(6) acres of wheat using Chem Fallow practices for (b)(6), (b)(7) acres and Summer Fallow for (b)(6) acres. He stated that he planted "West Bred 528" (WB) winter wheat seed "Soft White" in (b)(6), (b)(7) He explains that in the last (b)(6), (b)(7)(C) he has only planted "Stevens", "WB528", "WB102" and "Mary" variety and does not grow wheat to grow for seed nor is he aware of where the seed was grown.

5. He stated that he has used glyphosate, "RT3" on his Summer Fallow land as well with his Chem Fallow land. On his Summer Fallow land, he sprays once a year during spring and between chisel plowing and has never experienced any failure of the effectiveness of glyphosate not killing volunteers in wheat, and on his Chem Fallow land he sprays on the 1st of May and at



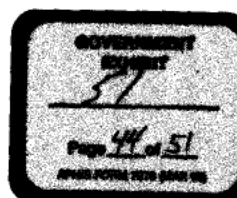
the end of April when the weeds are three to four leaf and has never experienced any failure of the effectiveness of glyphosate not weeds or volunteers in wheat.

6. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. He does not know where the seed was grown or who grows it. He also confirmed that he has never purchased or planted Coda Club, Rod or Club style winter wheat seed.

7. (b)(6), (b) stated he uses a dedicated ground sprayer to spray herbicides in spring through summer such as "24D", "ALLY" mixed with surfactant "Spreader 90" in order to control weeds and grasses and does not mix his herbicide with glyphosate. He stated that he has not had any problems with the effectiveness of the chemical used to eliminate weeds and grasses and has never had volunteer wheat. He explains that he purchases his chemicals from (b)(6), (b)(7)(C) where he also contracts (b)(6), (b)(7)(C) as a field consultant.

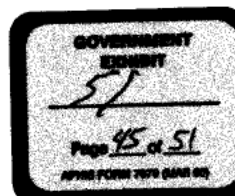

8. He stated that he owns his own farming equipment and does not hire custom help and does not have a field consultant. (b)(6), (b)(7) confirmed he does not loan out any of his farming equipment and plows up the straw and leaves it. His equipment is cleaned with water after every use and used the same every year operating in this fashion since (b)(6). He stated that he has never planted Roundup ready wheat and is not aware of any crop test plots in the area nor has he ever had any test plots on his farm.

9. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in his area or Monsanto having wheat trials in (b)(6), (b)(7)(C) other than the incident in Oregon



Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 14, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

2. On 06/17/13, I met with (b)(6), (b)(7)(C) owner of (b)(6), (b)(7)(C) who chose to be interviewed. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) are located at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) The (b)(6), (b)(7)(C) contact phone number is (b)(6), (b)(7)(C).

3. The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), (b)(7)(C) stated that he farms (b)(6), (b)(7)(C) acres of wheat using Chem Fallow practices. He stated that he planted "Coda Club" soft white winter wheat in (b)(6), (b)(7)(C) and that in the last four years he has only planted blends of (b)(6), (b)(7)(C) and does not grow wheat to for seed nor is he aware of where the seed was grown.

5. He stated that he sprays with glyphosate "RT3" three to four times a year and has never experienced any failure of the effectiveness of glyphosate not killing volunteers in wheat. He confirmed that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. He does not know where the seed was grown or

who grows it. He also confirmed that he has never purchased or planted "West Bred 528", Rod or Club style winter wheat seed.

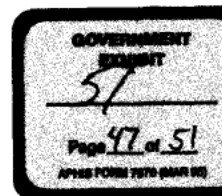
6. (b)(6), stated that he also plants Canola and that (b)(6), (b)(7)(C) ago he attempted to grow Genetically Modified Organism (GMO) Canola, however it never made it to crop. He stated that he has not attempted to grow any other GMO crops, and uses a dedicated ground sprayer to spray herbicides in March such as "Powerflex" and "Sencor" mixed with surfactant "Spreader 90" in order to control weeds and grasses. He explains that at times he will mix glyphosate with "Banvel and will spray in April, June and early July.

7. In addition, he has not had any problems with the effectiveness of the chemicals used to eliminate weeds and grasses and has never had volunteer wheat. He explains that he purchases his chemicals from (b)(6), (b)(7)(C) and does not hire a field consultant.

8. He stated that he owns his own farming equipment and does not loan out any of his farming equipment. His equipment is cleaned with water after every use and used the same every year operating in this fashion for the last (b)(6) years. He stated that he has never planted Roundup ready wheat, but has had one test plot approximately (b)(6) years ago. He explains that (b)(6) was monitoring the plot which was being used to test for different wheat varieties, but (b)(6) could not remember the variety names.


9. Furthermore, (b)(6), stated he is aware of one test plot located on (b)(6), (b)(7)(C). However, he is unaware who is monitoring the plot or what type of crop they are testing.

10. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in his area or Monsanto having wheat trials in (b)(6), (b)(7)(C) other than the incident in Oregon.



Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 17, 2013.

(b)(6), (b)(7)(C)



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. My name is (b)(6), (b)(7)(C) and I am an Investigator for the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Service (IES), currently assigned to the office located at 2150 Centre Avenue, Bldg B (b)(6), (b)(7)(C) Fort Collins, CO 80526, (b)(6), (b)(7)(C)

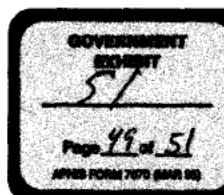
2. On 06/19/13, I met with (b)(6), (b)(7)(C)

(b)(6), (b)(7)

3. The purpose of my contacting (b)(6), (b) was to obtain information from him regarding whether or not he had experienced any failure of the effectiveness of glyphosate products when using them to control volunteer winter wheat after his fields had been harvested.

4. (b)(6), (b) stated that he owns and leases some of the ground he farms and has planted West Bred 528 winter wheat seed (WB) "Soft White" in 2012, but has never planted Rod, Coda or Club style winter wheat. (b)(6), (b) stated he farms on dry land using chem-fallow practices by mowing and then spraying with Roundup "RT3" blended with 'Brimstone' and "R11", and has never had a problem with glyphosate not killing volunteers in wheat. He stated that he purchased the seeds in bulk from (b)(6), (b)(7)(C) and hauls it himself via truck. However, he does not know where the seed was grown, nor does he have the seed tags.

5. He stated that he does not grow any Genetically Modified Organisms (GMO) such as soybeans, corn or sugar beets and that his drill is cleaned with a leaf blower and the truck



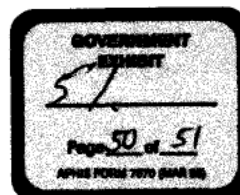
is cleaned using the same. (b)(6), (b)(7)(C) stated he uses a dedicated ground sprayer to spray "RT3" in order to control weeds when they are greening during the months of September, October and November. He stated that he has not had any problem with the effectiveness of the chemicals used to eliminate weeds and grasses and has never had volunteer wheat. He explains that he has always purchased his chemicals from (b)(6), (b)(7)(C) and mixes the chemicals with well water. He stated that he owns his own farming equipment and will hire (b)(6), (b)(7)(C) for combining.

6. Furthermore, he does not contract a field consultant nor does he loan out any of his farming equipment. He harrows up the straw and leaves it, and his farming equipment is cleaned with water pressure after every use and used the same every year operating in this fashion for the last seven years.

7. He stated that he transports his harvest to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) He explained that he does not keep wheat samples when planting or harvesting. In addition, he stated that he is not aware of any growers having problems with wheat volunteers surviving glyphosate or any other herbicide applications in (b)(6), (b)(7)(C).


8. He explained that he currently does not have test plots, however has had plots in the past, but cannot remember any of the details of the plots. In addition, he explains that he is aware of one test plot on land owned by (b)(6), (b)(7)(C) located on (b)(6), (b)(7)(C), testing for varieties, but is unaware who monitors the plot.

9. He stated that he was aware that Monsanto conducted a wheat farm trial in approximately (b)(6), (b)(7)(C) on space located at the (b)(6), (b)(7)(C), however was unaware what they were testing.



Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 19, 2013.

(b)(6), (b)(7)(C)



OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 04, 2013 I interviewed (b)(6), (b)(7)(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) on a cell phone and asked him several questions pertaining to an IES investigation.

Currently he is managing the farm/ranch for his (b)(6), (b)(7)(C). Because he was busy bailing hay I was unable to interview him in person.

He stated they've raised in the past a Stevens blend of wheat including Rod. (b)(6), (b)(7)(C) they have included WB528 in the mix. They have not raised any Club Style wheat.

He stated they purchase all of the wheat seed from (b)(6), (b)(7)(C) He does not raise soybeans or sugar beets but does raise a little corn. They clean the drill with air in between varieties of seed and at the end of the season. They purchase all the seed in bulk and haul it all themselves. They only plant on irrigated ground.

If after they have harvest the wheat any volunteer wheat emerges they pasture their cattle on it to eat it down. After harvest they bale the straw. They have used roundup in the spring if it is needed prior to planting. They apply it by a ground applicator they own. If the roundup doesn't work then they plow or disk the field.

They purchase all of the herbicide from (b)(6), (b)(7)(C) and mix it with well water and a surfactant. The sprayer is cleaned with water but if it is going to be used on a sensitive area he will utilize a paint cleaner to clean out the sprayer to insure all of the herbicide is out.

OFFICIAL DECLARATION

They sell all of their grain to (b)(6), (b)(7)(C) and do not keep any for replanting. They do not keep samples from the seed or the harvested grain.

At this point in the interview (b)(6), (b)(7)(C) arrived and joined in the interview.

They do their own farming and own and use their own equipment. They do not use any custom farming companies. The grain drill is use in different fields and is cleaned at the end of the season or between types of seed. The drill was not used by another grower. The farm has been in the family for (b)(6), (b)(7)(C), they own the ground.

They are not aware of any growers in the area that are having problems with volunteer wheat not being killed by an herbicide application.

They transport all of their grain to (b)(6), (b)(7)(C)

They do not store any grain for replanting. They don't have any test plots and don't know of anyone who might have a test plot on their farm. They did not know if Monsanto had a wheat farm trial in the (b)(6), (b)(7)(C) area.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 4, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C)

On June 04, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he always uses a field consultant, (b)(6), (b)(7) He stated he purchases all of his chemicals from (b)(6), (b)(7)(C) The variety of wheat seed he planted in previous years was WB528, for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C); which contains 102, Ovation, and Skyles. He stated he has not planted "Rod" winter wheat, "Coda Club", or any other "Club" variety of wheat. He does not plant soybeans, corn, or sugar beets; he has and does plant garbanzo beans.

He stated he cleans his drills out by air and water and does that at the end of the season or between types of seed.

He purchases all of his seed in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He hauls his own seed from (b)(6), (b)(7)(C)

He stated he summer fallows his ground. Prior to re-planting he disks, adds fertilizer, and runs a rod-weeder over the ground prior to re-planting.

He has used a herbicide on his fields, whatever (b)(6), (b)(7) suggests and has never had a problem with wheat volunteers after the application (b)(6), (b)(7) of the herbicide. He would spray it in March or April, depending on weather, and before any of the weeds would go to seed. He uses a ground sprayer of his own and cleans it with water after his is finished.

He stated he has never contacted a County Agent about herbicide. He stated he purchases all of his herbicides from (b)(6), (b)(7)(C) and it is mixed with City water and he does add an additional surfactant based on what has been recommended to him.

OFFICIAL DECLARATION

He stated he sell all of his grain to (b)(6), (b)(7)(C) and does not keep any for planting the next season. He does all of his own farming with his own equipment and uses no custom help.

I asked him what he does with the straw and chaff left over after thrashing and he stated he disks it in. All of the equipment is cleaned with air and water at the end of the season.

He stated he has three (3) grain drills and uses all of them in all of his fields depending on the type of ground he has. None of his equipment has been used by another grower.

He stated he owns his ground and no one has leased any of his farm or fields.

He was not aware of any Farmers in his area that were having problems with volunteer wheat surviving herbicide application.

He uses his own combine during harvest and his own trucks to deliver the grain to (b)(6), (b)(7)(C).

He does not store any grain on his farm and does not hold over seed from one year to the next. He has no storage facilities and purchases all of the seed he plants from (b)(6), (b)(7)(C).

He said he thought (b)(6), (b)(7)(C) in his area had a spring wheat test plot and (b)(6), (b)(7)(C) (I didn't get the last name) had a test plot for winter wheat.

He stated he did have a wheat test plot on his farm about (b)(6), (b)(7)(C) ago up (b)(6), (b)(7)(C).

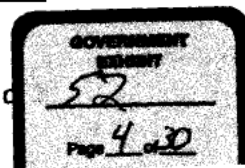
He was pressed for time and needed to get back on his tractor and continue working so the interviewed concluded at that point.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 4, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

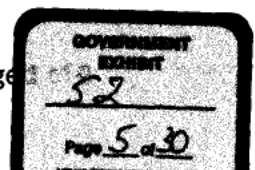
On June 04, 2013 I interviewed (b)(6), (b)(7)(C), phone (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he always uses a field consultant from (b)(6), (b)(7)(C). He stated he purchases all of his chemicals from (b)(6), (b)(7)(C). He stated he purchases all of his seed from (b)(6), (b)(7)(C) and obtains certified seed in bulk. He might have to purchase a bag to finish out but mostly in bulk. He hauls his own seed from (b)(6), (b)(7)(C). He cleans all of his trucks prior to obtaining the seed so there is no chance of cross planting; he cleans them with air and water. The variety of wheat seed he planted in previous years was: (b)(6), (b)(7)(C) WB528 and Rod; (b)(6), (b)(7)(C) WB528 and Rod; (b)(6), (b)(7)(C) WB528 and (b)(6), (b)(7)(C), which is a blend of three different varieties including WB528; (b)(6), (b)(7)(C) 60% WB528 and 40% (b)(6), (b)(7)(C). He does not plant soybeans, corn, or sugar beets; he has and does plant hard peas.

He does not use a chemical to fallow his ground; he goes from winter wheat to peas then the next year spring wheat to winter wheat.

Prior to planting he will spray with roundup or whatever (b)(6), (b)(7)(C) recommends but he has had no problem with any of the volunteer wheat sprayed not being killed. His spraying schedule would be in the Spring and Fall prior to planting. Mostly he uses ground spraying but will utilize aerial spraying if needed. He stated he would only go over with a second application of herbicide if it was recommended by (b)(6), (b)(7)(C) and then only on what little irrigated ground he has.

He purchases all of his herbicides from (b)(6), (b)(7)(C) and mixes it with City water with a surfactant suggested by them.



OFFICIAL DECLARATION

He has/does use the sprayer for pesticides and other herbicides as well and cleans the tank with water between applications.

He stated he sells all his grain to (b)(6), (b)(7)(C) and keeps none back for planting the next year. He does own his farm, does his own farming and owns his own equipment. He will utilize a custom planter for a little if he is in need.

After harvest he disks, chisels under, shreds, or burns any of the straw or chaff. He does use the same grain drill on all of his fields but has not loaned it out to another farmer. The equipment is the same every year, unless he needs to purchase new. He owns his ground but also leases some that he farms. He operates under (b)(6), (b)(7)(C), which was owned by (b)(6), (b)(7)(C).

I asked if he made additional passes through the fields and he stated only for rust or insects. If that was needed he would use an aerial applicator because the wheat would be too high to use a ground applicator.

For harvesting he stated he uses his own equipment and does not contract it out. He uses his own trucks to haul the grain to (b)(6), (b)(7)(C) who he sells it to. He does not store any grain because he has no facilities and does not hold over any seed from one year to the next for planting. He also stated he does not keep samples of either the seed planted or harvested grain.

He stated he knew (b)(6), (b)(7)(C) had a test plot with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C). He stated he had a test plot with (b)(6), (b)(7)(C) about (b)(6), (b)(7)(C) ago growing (b)(6), (b)(7)(C).

He told me the only grower he knew that was having problems was (b)(6), (b)(7)(C). He heard (b)(6), (b)(7)(C) wasn't saying much and had hired an attorney.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 4, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 04, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he utilizes the services of a filed consultant from (b)(6), (b)(7)(C) He purchases all of his chemicals from them and they make the arrangements to have it sprayed, he does not have the equipment to spray.

(b)(6), (b)(7)(C) From (b)(6), (b)(7)(C) he planted a blend of Stephens and Tubbs Wheat. In (b)(6), (b)(7)(C) he planted (b)(6) acres in a 50/50 mix of Stephens and 258, the other (b)(6) acres was planted in Stephens only. He does not raise soybeans, corn or sugar beets. He stated he cleans his drill out with air and vacuum but it is all left at the farm where the wheat is grown. He purchases all of his seed from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and hauls it himself. He summer fallows his ground.

Because of the cost of an herbicide he does not use it to fallow the ground and only uses roundup in an area on the farm that has a problem with morning glory weeds. He doesn't have a spryer so he contracts the spraying with an aerial sprayer.

He purchased his herbicide he did use at (b)(6), (b)(7)(C)

He summer fallows then plows, runs a spring tooth, a rod weeder, then fertilizes it at that time as well prior to planting.

He sells his grain to (b)(6), (b)(7)(C) they arrange for the combining and haul it direct to the river on their trucks.

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He works the straw and other waste back into the soil by plowing. The equipment all stays on the farm but he does clean it busting off any clods that might be present and then brushes it off.

He's been farming for approximately (b)(6) years now. And he leases the farm.

When asked; he stated he did not know of anyone in the area that said they were having problems with volunteer wheat not dying after an herbicide application. Both of the neighbors use round up and they don't have a problem.

He owns the equipment that was used to plant. It is cleaned in the fall after the harvest, unless he is planting more than one variety.

There are (b)(6), (b)(7)(C) his property.

He does not store any of the grain on his property. He stated he does collect samples of the wheat he has harvested because one time he saved some and when it was tested he was told he had goat grass in his wheat, he then he did have that in his wheat. With the sample he had collected he was able to prove he was right.

He stated he did not know of any test plots around him.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 4, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 05, 2013, I contacted (b)(6), (b)(7)(C) concerning the OR Wheat case.

He did not say if he used a field consultant or not. He stated he farms in (b)(6), (b)(7)(C). In (b)(6), (b)(7)(C) he planted WB528 in the fields in (b)(6), (b)(7)(C) which are a (b)(6), (b)(7)(C). In (b)(6), (b)(7)(C) he planted 102 wheat in the (b)(6), (b)(7)(C) fields. WB528 is the variety he plants in his fields in (b)(6), (b)(7)(C). He had never planted Rod, Coda Club, or any other variety of Club wheat. He stated he doesn't know where, who or how the seed was planted or handled.

He does not grow any soybeans, corn, or sugar beets all of his fields are dry land farming.

He cleans the drill if there is a change in variety being planted, but other than that he doesn't clean the drill. His drill is used on all of the fields.

He stated he purchased all of his seed in bulk from (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C). Because it comes in bulk he doesn't have any bag labels or tags. He hauls the seed from the plant to his fields in his own trucks and they are cleaned by raising the bed and spraying them with water before and after the seed is purchased and before and after the harvested grain is loaded and off loaded.

He farms approximately (b)(6), (b)(7) acres of which he follows half each year. He practices no till farming. After harvest he mows the fields then let them sit fallow until about April when he sprays with a Generic brand of Round-up that has the active ingredient "glyphosate", he also uses Clarity or Banvil as well. He uses a ground sprayer that he owns for all of his herbicide spraying. In (b)(6), (b)(7)(C) he sprays twice with the glyphosate mix but because of (b)(6), (b)(7)(C)

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of his fields he can only use it once. If the fields in (b)(6) need a second spraying because of weeds he only uses the glyphosate product. I asked if he has ever had volunteer wheat that was not killed by the herbicides and he stated "No". He purchases his herbicides from (b)(6), (b)(7)(C). He mixes the herbicides with well water and adds a surfactant to it named "Hell Fire". The sprayer is cleaned with water, and a neutralizer if necessary, prior to and after spraying. It is used with other herbicides as well as glyphosate.

He sells all of his grain through (b)(6), (b)(7)(C) it is all certified seed. He does store grain but only so he can watch the market and sell it at the time best for him. He does not keep any of the grain for seed for planting the next season; he purchases new seed every year.

He does all his own farming in (b)(6) but contracts out the planting and combining in (b)(6). He owns all of the equipment he uses for his farming operation.

Because he is using a no-till process of farming he doesn't bale any of the straw he only mows it. He blows out the mower every day because of the potential of fire danger. After it has been blown out then it is also washed out with water.

He hasn't loaned any of his equipment to another farmer.

The same equipment is used every year. He has been operating as no-till for about (b)(6), (b)(7) years.

He said he leases most of the ground he farms and no one has leased his ground or sub-leased the ground he leases.

He stated he was not aware of any of the farmers in his area that were having problems with volunteer wheat they couldn't kill with an herbicide.

I asked again if he had to go over the fields with an herbicide and he stated only if it was for broadleaf weeds, all of the volunteer wheat is killed on the first pass.

He stated he has used the same company in (b)(6) to do the seeding and combining, they use their own equipment, and he uses his equipment in (b)(6).

His method of farming is to let half of the acreage lay fallow for a season, plant wheat seed in the other half in a no-till method. He plants the seed, harvests, mows

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the straw, the field then lays fallow for the next season. After the fallow period then he sprays then it starts all over again.

He stated all of his equipment is blown or washed after the season is over.

(b)(6), (b)(7)(C) next to his fields.

He stated when the grain is harvested he transports it to (b)(6), (b)(7)(C), and when the market is right it all gets sold, he doesn't keep any back for seed for the next season.

There are no test plots on his land and never has had. There are some test plots in the area and they are being run by (b)(6), (b)(7). He did not know if Monsanto had any test plots in the area. He doesn't keep samples of the seed and he doesn't keep samples of the grain.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 06, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 06, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he uses a field consultant from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He stated he purchases his chemicals from (b)(6), (b)(7)(C) He stated he purchases all of his seed from (b)(6), (b)(7)(C) and obtains certified seed in 1 ton bags. He hauls his own seed from (b)(6), (b)(7)(C) on his own truck. Because the bags are sealed there is no leakage. To clean the flatbed two ton truck he just brushes it clean if it needs it. The Wheat he planted was Stevens and Tubbs he doesn't know about any of the other types. He does not plant (b)(6), (b)(7)(C); he does (b)(6), (b)(7)(C) for (b)(4). All of his farm is irrigated and he uses two separate drills when he plants; he cleans them out prior to use and between different seeds.

His rotation is spring one year followed by (b)(6), (b)(7)(C) During a separate rotation he will have Winter wheat then into (b)(6), (b)(7)(C) He will plant oats then turns his cattle into calves and back into oats. He doesn't fallow any of the ground.

He uses roundup with emplace added as a spreader. Then if needed after that he will use "Husky" after that. He stated he has never had a problem with the roundup not killing any of the volunteer wheat. He sprays with a ground sprayer in mid-September and he owns his own sprayer. He stated after he has used the sprayer he always cleans it out with water.

I asked about where he sells his grain and he stated to (b)(6), (b)(7)(C) He doesn't keep any grain over for planting the next year. He does his own farming and uses his own equipment except he does contract the combining of his wheat. I asked about

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what he does with the straw after harvest and he stated he either grazes his cattle on it or he will mow it. If it is mowed he blows out the mower.

He stated he doesn't loan out his drill to any other farmer, they stay on his place.

He stated he has been farming, as his operation, for a little over (b)(6) years; he leases about (b)(6) of the ground and no one has leased his ground.

I asked him if he knew of any other farmers in his area that were having problems with volunteer wheat that survived spraying of roundup and he stated no.

He told me that prior to planting he will plow the field then runs either a disk or chisel through the ground then he plants.

I asked about roads by his farm and he stated there are (b)(6), (b)(7)(C) his farm.

I asked about who hauled his grain after harvest and he stated it was all handled by the custom harvester he hires and they take it to the (b)(6), (b)(7)(C) elevators. He stated he doesn't hold over any seed for planting the next year and doesn't keep a sample of the seed prior to planting or the grain after harvest.

He stated he does have test plots on his farm for (b)(6), (b)(7)(C) and that is for (b)(6), (b)(7)(C). I asked him if he knew if Monsanto had wheat tests in the (b)(6), (b)(7)(C) area and he stated on what he has read about lately.

He does have (b)(6), (b)(7)(C) the ground he farms.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 07, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

I asked if he uses a Field consultant and he stated yes; (b)(6), (b)(7)(C) (b)(6), (b)(7)

He has about (b)(6) acres that is farmed. He stated all of his seed is purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7) He does save a little seed for planting the next year but that is only what is vacuumed out of the drill. He tries to have a crop in his fields every year; it's all dry farmed on a no-till basis.

He stated he usually burns the stubble but last year he sprayed with round up twice. He stated he hasn't had any problems with volunteer wheat after application of roundup.

I asked if he had planted any WB538 wheat and he stated only if it had been in a blend and that would have been (b)(6), (b)(7)(C) ago. He said he has not planted any Rod wheat, Coda Club or other Club style wheat. He has planted DNS, Trifecta, and West bred. He said he purchases the seed in bulk and for Spring Wheat he hauls it himself. If it is a Winter Wheat then his (b)(6), (b)(7)(C) hauls and plants it for him.

The seed is usually planted the end of October and then sprayed around April 27th, after the wheat has come up, he uses:

S-Sul Sprayable 15 lbs/100 gal.

Beyond 5 fl oz/acre

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Huskie	15 fl oz/acre	for the grass/wild oats
Tilt	4 fl oz/acre	rust
M-90	1 qt/100 gal	surfactant
Water	11.83 gal/acre	
On Trifecta Wheat (about (b)(6) acres)		
Power flex	3.5 oz/acre	
S-Sul	1.5 lbs/acre	
Huskie	15 fl oz/acre	
Tilt	4 fl oz/acre	
M-90	1 qt/100 gal	
Water	11.84 gal/acre	

He stated his (b)(6), (b)(7)(C) does the planting of his wheat and adds a fertilizer at the same time, he vacuums out the drill between fields. He stated he sprays his fields but uses a (b)(6), (b)(7)(C) sprayer. After he is finished he drains the sprayer and returns it to (b)(6), (b)(7)(C) where they clean it out.

He stated his wheat is harvest using one of his neighbors combines, (b)(6), (b)(7)(C) the combine is blown out between fields.

I asked about test plots and he said that (b)(6), (b)(7)(C) had test plots around. He did have a test plot on some ground he was leasing but that was (b)(6) years ago. He thought Monsanto had test plots around the (b)(6), (b)(7)(C) years ago.

I asked if he ever kept samples of the seed he planted or the grain he harvested and he said no.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C)

On June 07, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he does on occasion talk with a (b)(6), (b)(7)(C) but he makes all of the decisions concerning chemical use, seed variety, and farming strategy.

His farming practice is to plant (b)(6) percent of the farm and leave (b)(6) percent fallow. After harvest he shreds the straw in the fall then runs a single disk in the spring, cultivates 8-10 inches, applies fertilizer, rod weed in July & September, Then seed in the fall. He will plant about (b)(6), (b)(7)(C) each year.

He does grow some seed to use for the next year. He plants about (b)(6) acres and uses that to use as seed then purchases certified seed to re-plant the (b)(6) acres. On about (b)(6), (b)(7)(C) he buys Oregon 102 because of goat grass in that area of his farm but does not use any of that for seeding. This year he planted the (b)(6) acres with Cara seed wheat. He said the seed he purchases is all raised in the (b)(6), (b)(7)(C) and is all grown on irrigated ground

He said he purchases his wheat from (b)(6), (b)(7)(C) in bulk and picks it up in his own trucks. He only raises wheat. His trucks are cleaned before he picks up the wheat seed.

He does use roundup at the rate of 18 oz./acre. He follows up with mechanical killing. He said he has never had a problem with volunteer wheat not being killed the way he farms. He does use other herbicides like 2-4D, Husky, Allied Extra, and Tilt. These are used for broadleaf's and wild oats and he rotates the chemicals so they will not build up a resistance to the chemicals. He purchases his chemicals

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from (b)(6), (b)(7)(C) (b)(6), (b)(7) He said he adds a surfactant from (b)(6), (b)(7) named phlame then mixes them with well water.

He stated he owns his own sprayer and it is a ground sprayer. He cleans the sprayer with water between each operation and/or between each chemical.

He does all of his own farming and owns his own equipment. The combine is blown out as the method of cleaning, the drill is vacuumed, and the shredder is cleaned twice a day and is blown out. This lessens the risk of fire.

He stated he sells his wheat to (b)(6), (b)(7)(C) and hauls it to their elevators. He does not keep what would be considered a sample of the seed prior to planting or the grain after harvest.

He stated the ground they raise the seed on is treated in such a way that there are No weeds. The seed he does keep for planting is treated and the bins where they are stored are treated prior to the seed entering.

I asked him if he has ever planted any "Round Up ready Wheat" he stated "No; there has not been any been approved to be planted. It would have to be Monsanto's wheat and for him to get any he would have to steal it".

He didn't know of any test plots in the area this year but there have been some in the past. He said (b)(6), (b)(7)(C) had some about (b)(6) years ago; (b)(6), (b)(7) has had some on the (b)(6), (b)(7)(C)

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C)

On June 07, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation. He asked how long it would take because he had a crew he had to get to that were picking his (b)(6), (b)(7)(C)

He stated he uses a field consultant from (b)(6), (b)(7)(C). He mainly raises (b)(6), (b)(7)(C) and uses wheat as a rotation crop. He stated he normally plants Stevens soft white but in (b)(6), (b)(7)(C) he planted DNS. He stated he hasn't planted WB528, Coda Club or any other type of Club Wheat, at least to his knowledge.

He said he purchases his wheat in (b)(6), (b)(7)(C) bags from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

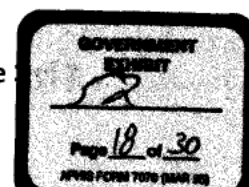
He hasn't planted any other crop that could be considered a GMO crop.

He stated he Chem Fallows his ground with roundup and has never had a problem with any of the volunteer wheat not being killed. Then he comes back and plants (b)(6), (b)(7)(C) in April; he only plants about (b)(6) acres of wheat. He said he doesn't mix any other herbicide with roundup. He ground sprays the chemical and obtains all of his chemicals from (b)(6), (b)(7)(C).

He doesn't have any test plots on his ground but thinks there might be one by the (b)(6), (b)(7)(C) and that might be corn.

He does use the same drill every year on the wheat and cleans it out after harvest.

He wanted me to make sure I knew he was a (b)(6), (b)(7)(C). He asked if this interview was voluntary and I assured him it was so at this time he ended the



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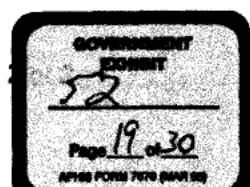
interview so he could get back to his crew. I was unable to ascertain where he sold his wheat and if he combined the grain or if he contracted it.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C)

On June 06, 2013 I interviewed (b)(6), (b)(7)(C) and asked him several questions pertaining to an IES investigation.

He stated he uses a field consultant from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He stated he purchases his chemicals from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) He stated he purchases all of his seed from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and obtains certified seed in bulk. He hauls his own seed from (b)(6), (b)(7)(C) in his own truck. He cleans his truck before and after the seed is purchased, he cleans them with air and water. The variety of wheat seed he planted in previous years was (b)(6), (b)(7)(C) WB528, (b)(6), (b)(7)(C) He does not plant soybeans, corn, or sugar beets; he has and does plant (b)(6), (b)(7)(C) He stated he planted some Coda Club but that was about (b)(6), (b)(7)(C) years ago. He did plant another type of Club Wheat, about (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) acres and sold all of it back to (b)(6), (b)(7)(C) He doesn't know where or who grows the seed he plants.

When he is finished with his grain drill he vacuums them out so there won't be any cross contamination of species.

All of his ground is dry-land ground. Traditionally starting after harvest he waits until Spring and will then either bale or burn the straw, mow board plows, spring tooth, fertilizes, then runs a rod weeder, then seeds. In 2013 he sprayed roundup in the late fall on half of the acres the other he baled the straw, sprayed again in April to stop green up going into winter, to stop the thistle and cheat grass. Then he disked, cultivated and fertilized and two passes with a rod weeder, then he would seed.

OFFICIAL DECLARATION

He stated he has never had a problem with volunteer wheat after it has been sprayed with roundup. Last year he had some additional weeds so he sprayed again using "Sharpen". He tries to not use the same herbicide each year so the weeds don't build a tolerance.

He stated he sprays the wheat in the late fall with roundup and then in the spring with a different herbicide. When I asked about his sprayer he stated he owns it with a neighbor. Both of them after use; the tank is emptied then water and neutrisol is added and the booms and tank are cleaned, then the entire system is flushed again with clean water.

He told me the only time he has had a problem with roundup not working was in the wheel tracks and then only if it is real dusty. If they get a good application they have never had a problem, both the weeds and volunteer wheat is killed. He said he mixes the chemical with well water and adds a stabilizer and a surfactant to help with drift. Beside roundup the sprayer is used with a broadleaf package; Tilt, Banvil, 2-4D, Ally Extra, Broncmax, R11, and Husky.

I asked him where he sells his grain and he stated (b)(6). They make the arraignments for all the trucks to haul the grain and it all goes straight to the river. (b)(6) years ago he did keep some of his grain over to plant the next year but has not kept any since then. He doesn't keep any samples of the seed prior to planting or the grain after harvest.

He does his own farming with all of his own equipment which he owns. If some of the straw is going to be bailed a custom bailer will come in and do that with their equipment and trucks. All of his equipment is cleaned after the end of harvest and then again before it is used to plant.

He has been farming since (b)(6), (b)(7)(C) of which he leases. No has ever leased the ground he owns.

He stated he is not aware of any of the farmers in his area that are having or have had a problem with volunteer wheat that is not being killed.

I asked if he knew of any test plots in the area and he stated he had seen some but couldn't remember exactly where they were. He doesn't have any test plots on his farm and didn't know Monsanto had wheat tests in the (b)(6), (b)(7)(C) area.

OFFICIAL DECLARATION

He does have (b)(6), (b)(7)(C) the ground he farms.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) _____, being duly sworn on oath make the following statement:

To (b)(6), (b)(7)(C) _____ who has identified himself as an Investigator employed by the USDA, APHIS, IES.

I reside at (b)(6), (b)(7)(C) _____
_____.

I am (b)(6), (b)(7)(C) _____ and now. I use to be a (b)(6), (b)(7)(C) _____ (b)(7)(C) _____. We specialized in (b)(6), (b)(7)(C) _____ (C) _____. They would be (b)(6), (b)(7)(C) _____ (b)(6), (b)(7)(C) _____.

I was constructing a building prior to that, I'm not exactly sure the location. It could have been in (b)(6), (b)(7)(C) _____. A man came up to me and asked for a job. He said he was looking for a job, I asked what he had done and he said he use to (b)(6), (b)(7)(C) _____. We kept talking and I asked if he was pro-farmer or pro-Monsantos, he told me he was pro-farmer. I asked what he did as a (b)(6), (b)(7)(C) _____ for them and he told me he would (b)(6), (b)(7)(C) _____. He was given coordinates and told to (b)(6), (b)(7)(C) _____. He told me he was given at least one container and told to pour the contents out the window over the area within the coordinates. He told me when he found out what they were doing he quit. He told me it was like spores. The way he talked he knew it had something to do with genetics. I congratulated him on his integrity, but I did not hire him.

Page 1 of 2

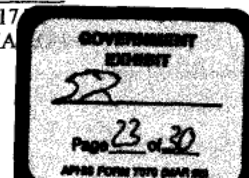
/s/ (b)(6), (b)(7)(C) _____
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at (b)(6), (b)(7)(C) _____
on this 11th day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

/s/ (b)(6), (b)(7)(C) _____
DESIGNATED PURSUANT TO 7 U.S.C. 2217
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS
AUTHORITY NO: 3012

OR120018_BR_002222



AFFIDAVIT

I, (b)(6), (b)(7)(C), being duly sworn on oath make the following statement:

It was one of the bigger projects I was on.

I started in (b)(6), (b)(7)(C).

I started in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

I started in (b)(6), (b)(7)(C) that was continuous, off and on, (b)(6), (b)(7)(C).

I started in (b)(6), (b)(7)(C) in the Spring, we went back until (b)(6), (b)(7)(C).

I started in (b)(6), (b)(7)(C).

When he came and talked with me it would have been one of these.

I have read this statement, have been given the opportunity to make changes or additions, and affirm, under oath, it is true and correct to the best of my knowledge and understanding. -----

----- (b)(6), (b)(7)(C) -----

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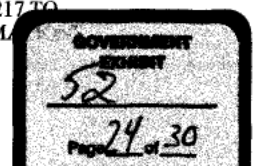
/s/ (b)(6), (b)(7)(C)
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at (b)(6), (b)(7)(C)
on this 11th day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

/s/ (b)(6), (b)(7)(C)
DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS
AUTHORITY NO: 3012

OR120018_BR_002224



AFFIDAVIT

I, (name of affiant) (b)(6), (b)(7)(C), being duly sworn on oath

make the following statement: To (b)(6), (b)(7)(C) who has identified himself as an Investigator employed by the USDA, APHIS, IES.

I reside at (b)(6), (b)(7)(C) phone

(b)(6), (b)(7)(C), cell (b)(6), (b)(7)(C)

I am (b)(6), (b)(7)(C) now. I use to be a (b)(6), (b)(7)(C). We

specialized in (b)(6), (b)(7)(C) they

would be (b)(6), (b)(7)(C) I started

(b)(6), (b)(7)(C)

I was (b)(6), (b)(7)(C) prior to that, I'm not exactly sure the location. It could have been in (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) A man came up to me and asked for job. He said he was looking for a job. I asked what he had done and he said he use to (b)(6), (b)(7)(C) we kept talking and I asked ^{if he} what if he was pro-farmer or pro-Monsantos, he told me he was pro-farmer. I asked what he did as a (b)(6), (b)(7)(C) and he told me he would (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

He told me he was given at least one container and told to pour the contents (b)(6), (b)(7)(C) out the window over the area within the coordinates. He told me when he found out what they were doing he quit. He told me it was like spores. (b)(6), (b)(7)(C) may he talked he knew it had something to do with genetics. I congratulated him on his integrity, but I did not hire him.

(b)(6), (b)(7)(C)

Page 1 of 2

Subscribed and sworn to before me at (b)(6), (b)(7)(C)

on this 11th day of June, 2013.

(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO. (b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 10, 2013 I interviewed (b)(6), (b)(7)(C) and asked him question concerning an ongoing IES investigation.

He stated he farms in both (b)(6), (b)(7)(C), approximately (b)(6), (b)(7)(C) acres in each State with half being farmed each year and the other half being left fallow. He checked and stated he has in crop for this year; (b)(6), (b)(7)(C)

I asked if during his farming did he use a field consultant and he stated in (b)(6) he uses (b)(6), (b)(7)(C) and in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

In (b)(6) he planted 528 before (b)(6), (b)(7)(C); in (b)(6) he planted 528 as a mix in (b)(6), (b)(7)(C) The fields in (b)(6) are in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

In (b)(6), (b)(7)(C) they planted Rod mixed with (b)(6), (b)(7)(C) and in (b)(6), (b)(7)(C) they planted Rod mixed with (b)(6), (b)(7)(C). In (b)(6), (b)(7)(C) they planted Rod mixed with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) The mix was also used in (b)(6)

They have not planted Coda Club or another variety of Club wheat. He stated he did not know where the seed was raised or how it is handled at harvest. They do not raise any soybeans, corn or sugar beets. All of their ground is dry land ground.

I asked where they purchase the seed and he stated (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) They pick it up in their semis if planting in (b)(6) and take their ten wheeled trucks to the plant to pick up the seed in (b)(6), (b)(7)(C) The trucks are all cleaned prior to picking up the seed.

OFFICIAL DECLARATION

He stated (b)(6), (b)(7)(C) of the ground in OR is Chem fallowed and (b)(6), (b)(7)(C) in WA. The stages of their operation include: fall harvest; spray roundup (or another generic brand glyphosate) post-harvest if needed; Spring, spray around March with glyphosate; spray again in May (these are all done via a ground sprayer which they own); if needed they will spray again around July with an aerial application; the end of Sept. they plant the field. I asked if they use any other herbicide and he said in WA they use some dicamba and Banvil, and that is based on the type of weeds.

Their procedure for summer fallow is after harvest they chisel plow, rodweed May and June; in WA they try to plant the first part of Sept. and in OR they try to plant in Oct.

I asked if they had any problems with volunteer wheat where the glyphosate application didn't kill it and he said no, it has always worked well for them. He stated because they will mow the straw, sometimes they need to make another pass with the spray because of the thickness of the straw but all volunteer wheat appears to be killed.

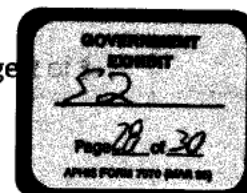
I asked how they apply the glyphosate and he stated they use their ground sprayer and if needed, they will hire an aerial applicator to make a pass. If they are busy with harvest they might hire a custom applicator to make a ground application on the fields.

He stated they have never checked with the County Agent about volunteer wheat not being killed with glyphosate.

I asked where he purchased the herbicide and he stated; in OR, Morrow County (b)(6), (b)(7)(C); and in WA, Morrow County (b)(6), (b)(7)(C). The herbicide is mixed using the City water of (b)(6), (b)(7)(C), OR and (b)(6), (b)(7)(C), WA. He does add a surfactant; Hell Fire and Spreader 90.

I asked if the sprayer is cleaned and he said they clean it between herbicide applications and chemicals. They use water mixed with a neutralizer and aqua ammonia.

I asked about where they sell their grain and he stated; the grain from OR goes to Morrow County (b)(6), (b)(7)(C); and the grain in WA goes to (b)(6), (b)(7)(C). They haul all of the grain. When it's going to Morrow County (b)(6), (b)(7)(C) they put it in



OFFICIAL DECLARATION

their storage facilities first and then during the winter they haul it to the river terminal. If it's going to (b)(6), (b)(7)(C) they haul it direct to the river terminal.

They own their own equipment and do their own farming.

I asked what they do with the straw and he mentioned in (b)(6) they graze cattle and/bail it to feed back to the cattle. In (b)(6) they mow the fields; trying to utilize a no-till/reduced till practice.

I asked about the cleaning of the drill and he said they clean at the end of season. If they are switching varieties they will make a more thorough cleaning. I asked about the combines and he stated they make sure they clean them out because of different weeds they have in different fields and they don't want to move them from field to field. When asked he stated he has been farming this way for well over (b)(6) years. He stated they own and lease the ground they farm and they have never leased out any of their owned property.

He stated he was not aware of anyone in the area having problems with volunteer wheat that does not die from roundup.

When asked about test plots he stated the County Agent had one on their place about (b)(6) years ago but because of inadequate moisture it failed. He said he thought the County Agent had a test plot this year and that (b)(6), (b)(7)(C) had a test plot for (b)(6), (b)(7)(C) it is along (b)(6), (b)(7)(C). He thought Monsanto might have had a test plot, maybe around the (b)(6), (b)(7)(C).

I asked if he holds over any seed for planting the next year and he stated, no. He stated he does not keep any samples of the seed he plants nor does he keep any samples of the grain harvested.

I asked if he had roads close to his fields that might allow a contaminant to enter his field and he stated there are (b)(6), (b)(7)(C) by all of them.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 11, 2013.

(b)(6), (b)(7)(C)

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 12, 2013 I interviewed (via phone) (b)(6), (b)(7)(C) and asked him questions concerning an ongoing IES investigation. He was very reluctant to talk and said he was with someone and couldn't talk long.

Before I could ask any questions he stated they have not planted soft wheat in the past (b)(6), (b)(7)(C) (C)

I asked who they purchase their seed from and he said from themselves. When asked he stated all of their ground is irrigated. They rotate from wheat to (b)(6), (b)(7)(C) and sometimes into (b)(6), (b)(7)(C) for 3-4 years.

I asked if they have ever had any problems with volunteer wheat not being killed with roundup and he stated no.

I asked again who they purchased seed from and he then stated from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

I asked if they had their own equipment and he stated they hire a custom operator to harvest the grain; (b)(6), (b)(7)(C), WA. He stated he purchases new equipment each year and they are the first farms they are in so there is no chance of contamination.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 12, 2013.

(b)(6), (b)(7)(C)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C), I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am a (b)(6), Investigator of Investigative and Enforcement Services (IES), Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture. I have held this position for over (b)(6), (b)(7)(c)

2. On 06/04/13 at approximately 1540 hours, I interviewed (b)(6), (b)(7)(C) by phone while at his residence at (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C) was working out in a field when I arrived, but (b)(6), (b)(7) called him. He was on speaker phone and we were able to complete the interview.

3. The following interview is for the assistance of ~~and~~ IES investigation (case # OR130018-BR).

4. (b)(6), told me that the name of his business is (b)(6), (b)(7)(C). They have been in business for (b)(6), (b)(7)(C) and their corporation status is as an limited liability corporation.

5. (b)(6), stated to me that he did not plant WB528 in (b)(6), (b)(7)(C), nor has he ever planted it. This is contradictory to the highlighted information on the questionnaire used for this interview (attached).

6. (b)(6), states that he only plants Hard Red winter wheat and that occasionally he will plant some (b)(6), (b)(7)

7. After planting, (b)(6), said that he scoops out, vacuums, and finally blows out his drill after planting.

8. He said that all of his wheat seed comes from (b)(6), (b)(7)(C) (b)(6),

9. He said he always purchases his seed in (b)(6), (b)(7)(C) bags.

10. (b)(6), said that (b)(6), has a record of all the seed he has purchased. He has no seed tags

11. He stated he hauls his own wheat seed and that there is no need to wash the truck after because the seed is contained in giant bags

12. He stated that all of his wheat is planted on irrigated wet-land.

13. He said his normal protocol for weed control is Round-up (RT3) for wheat and that he uses this every year. He does not mix it and has never had a problem with it.

14. (b)(6), (b) has never experienced problems with glyphosate not killing volunteers in the wheat.

15. He sprays glyphosate once in the fall and once in the early spring.

16. He said it is very important to note that a good coating of dirt on top of any plants can sometimes neutralize the glyphosate.

17. (b)(6), said that he has never had any problems with the Round-up.

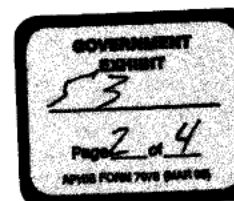
18. (b)(6), stated that he purchases all of his herbicides from (b)(6), (b)

19. He stated he only adds surfactants to the Round-up and does not mix with water.

20. (b)(6), stated that he used other herbicides through the same sprayer. The sprayer was always cleaned out before the next use. The sprayer was cleaned by rinsing it out with water and sometimes Nutrisol to clean it thoroughly if it was being used next on sensitive crops.
21. (b)(6), stated he sells all of his grain at (b)(6), and doesn't keep any for replanting.
22. (b)(6), stated he does all of his own farming and owns all of his own equipment.
23. He did state that he had his (b)(6), (b)(7)(C) help him with wheat planting last year.
24. After combining (b)(6), said that he burns the straw and chaff.
25. His equipment is cleaned after each use with a high pressure washer and the equipment is cleaned before use on another field.
26. He uses the same drill for all of his fields. The drill was used by another grower by the name of (b)(6) prior to being used in (b)(6), (b) field. (b)(6), states he was the last one to use it.
27. He uses the same equipment every year, but this year (b)(6), (b) helped him seed with his drill. In other words his (b)(6), used a drill on (b)(6), (b) field. This is the only year (b)(6), has done this.
28. He leases (b) his farming land.
29. He is not aware of any growers having any problems with volunteers surviving glyphosate application.
30. (b)(6), stated uses his own equipment for harvesting.
31. (b)(6), stated that before planting, he sprayed Round-up and mowed the field.
32. He believes the only other equipment he has ever used is his (b)(6), (b) drill for planting wheat and that this would be the only way a contaminant could get into his fields.
33. Finally (b)(6), stated that he hires (b)(6), (b)(7)(C) to haul his harvested wheat to (b)(6), in (b)(6),

I declare that the foregoing is true and correct to the best of my knowledge and that this declaration was executed on June 5, 2013.

(b)(6), (b)(7)(C)

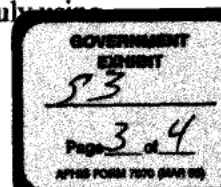


DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C), I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am a (b)(6), Investigator of Investigative and Enforcement Services (IES), Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture. I have held this position for over (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
2. On 06/04/13 at approximately 1100 hours, I interviewed (b)(6), (b)(7)(C). GPS coordinates based on the address alone are not accurate. The following is the exact GPS coordinates to (b)(6), (b) driveway. (b)(6), (b)(7)(C) (b)(6), phone number is (b)(6), (b)(7)
3. The following interview is for the assistance of ~~and~~ IES investigation (case # OR130018-BR).
4. (b)(6), told me that the name of his business is (b)(6), (b)(7)(C). They have been in business since (b), but he has been farming his whole life, over (b) years. His farms corporation status is as a general partnership.
5. (b)(6), (b) (b)(6), planted WB528, Tubbs, and Skiles winter wheat.
6. (b)(6), planted WB528, Tubbs, and Ovation winter wheat.
7. (b)(6), stated he has not planted Rod winter wheat in over ten years.
8. (b)(6), stated he planted Coda club winter wheat in during the years of 2010, 2011, and 2012. He also stated that in 2012 he planted one field of Kara Club winter wheat.
9. He does not know who grew the seed, nor who handled the seed, but that all of his seed comes from (b)(6), (b)(7)(C) (b)(7)(C) b including his winter seed.
10. He does not grow any soybeans, corn, nor sugar beets.
11. (b)(6), stated that his method of cleaning is to vacuum out the drill after planting.
12. He said he always purchases his seed in bulk.
13. (b)(6), did not have seed tags, only load tickets. He claims that (b)(6), should have a record of certification, purity, hard seed count, and any other information. He said he has no idea how long they keep it on file, but that they have it.
14. He stated he hauls his own wheat seed and washes the truck out after hauling it to his farm.
15. He stated that all of his wheat is planted on dry-land farm ground and all of it is chem-fallowed using Round-up RT# (glyphosate). (b) (b)(6), uses a blend of herbicide. This year he used Husky, and LV/24D. Last year he used Ally Plus and LV Stirling Blue.
16. He summer fallows the dry land with Round-up before seeding.
17. (b)(6), has never experienced problems with glyphosate not killing volunteers in the wheat.
18. He sprays glyphosate during the first week in April, then again in mid-May, and finally in mid-July using both ground and aerial spraying.

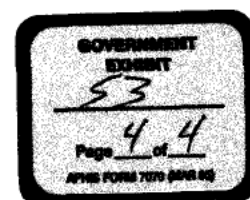
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19. He said it is very important to note that a good coating of dirt on top of any plants can sometimes neutralize the glyphosate.
20. (b)(6), told me that if during the course of farming, one herbicide does not work he will switch chemicals or increase the amount of chemicals used. He said that Round-up works fine for the wheat and that he has never had any problems.
21. (b)(6), stated that he purchases all of his herbicides from (b)(6), (b)(7)(C).
22. He stated he does add surfactants to his herbicides and that it is mixed with well water.
23. (b)(6), stated that he used other herbicides through the same sprayer. The sprayer was always cleaned out before the next use. The sprayer was cleaned by rinsing it out with water.
24. (b)(6), stated he sells all of his grain at (b)(6), and doesn't keep any for replanting.
25. (b)(6), stated he does all of his own farming and owns all of his own equipment.
26. After combining (b)(6), said that he leaves the straw and chaff on the ground, sometimes chopping it up.
27. His equipment is cleaned after each use with a high pressure air blower.
28. He uses the same drill for all of his fields. This drill is not used on any other fields and the drill is not used by any other owner than himself.
29. He uses the same equipment every year and has operated in the same fashion for over (b) years.
30. He is only aware of the one man's problem (wheat surviving glyphosate) in Oregon, the one that started this investigation.
31. (b)(6), stated he takes his harvested wheat to the county elevator in (b)(6), (b) (7)(C). He said he stores about (b) (4) of grain which he takes out later in the year.
32. (b)(6), said that he has heard of some test plots in the area, but that he has no specifics.
33. Finally (b)(6), stated that while he does not keep any wheat samples, (b)(6), has his wheat in containers. (b)(6), has samples.

I declare that the foregoing is true and correct to the best of my knowledge and that this declaration was executed on June 5, 2013.

(b)(6), (b)(7)(c)



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg. B (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) @aphis.usda.gov.
(b)(7)(C)

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

The interview I conducted with (b)(6), (b)(7)(C) **was for OR130018-BR.**

2. On 6/11/13, I traveled out to (b)(6), (b)(7)(C) farm. Upon arrival, I informed (b)(6), (b)(7)(C) that I needed to meet with him for obtaining information pertaining to his farming operation through a series of questions. I explained to (b)(6), (b)(7)(C) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
3. (b)(6), (b)(7)(C) willingly agreed to speak with me.
4. I provided (b)(6), (b)(7)(C) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7)(C) provided me with the follow information:

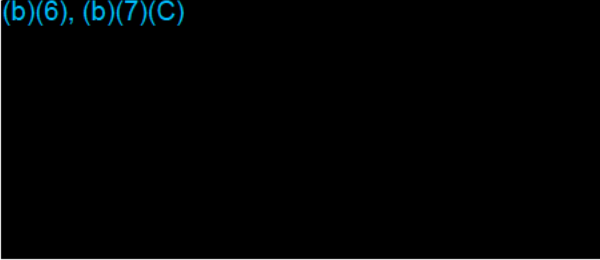
5. (b)(6), (b)(7)(C) stated that he has not observed any volunteer wheat growing in his fields after spraying herbicides containing the active ingredient glyphosate.
6. (b)(6), (b)(7)(C) stated that his farming operation consist of a wheat/fallow practice. He confirmed that he farms/owns (b)(6), (b)(7)(C) acres, which half of the total acres is leased ground. He indicated that (b)(6), (b)(7)(C) acres will be fallow each year.
(6)

7. (b)(6), confirmed that he does not plant the WB 528 wheat variety or any Club style variety including Coda Club. He confirmed that he plants a blend consisting of Tubbs 06 and Stevens. He also plants a separate field of Clearfield 102. All seed purchased in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(6), (b)(7)(C) and (b)(6), (b)(7) whoever is the cheapest.
8. (b)(6), stated that he only farms wheat; no other crops. He also confirmed that he does not grow any GMO crops.
9. (b)(6), stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, the weeds in the wheat crop are control by spraying with a blend of several herbicides consisting of **PowerFlex, Huskie, Bromac, Sencor and Fitness**, which is a fungicide. He also, adds Solution 32 fertilizer to the tank mix. The Clearfield 102 wheat is sprayed with **Beyond**. He indicated that Spreader 90 is the surfactant used and all chemicals are mixed with city water.
10. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brands of glyphosate used consist of **RT 3 and Glystar**. He also adds **Ultra Pro** (Ammonium Sulfate) to the tank mix to enhance uptake of the chemicals by the plant.
11. All chemicals purchased from (b)(6), (b)(7)(C)
12. In May/June, after weed burn down the fallow ground will be cultivated and then planted in September.
13. (b)(6), stated that he uses his own equipment to prepare the ground, plant and spray. He also indicated that he custom farms approximately (b)(6) acres. The custom farming consists of preparing the ground, seeding, spraying, and harvesting. All grain is sold through (b)(6)
14. (b)(6), indicated that he does not store grain on his farm nor does he retain grain for seed.
15. (b)(6), indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
16. He indicated that he does use a crop consultant service provided by (b)(6), (b)(7)(C)

17. (b)(6), (b)(7)(C) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and he did not have any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7) My work address is 2150 Centre Ave., Bldg. B- (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7) aphis.usda.gov.
(b)(7)(C)

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

(b)(7)(C)
The interview I conducted with (b)(6), (b)(7) was for OR130018-BR. (b)(7)(C)

2. On 6/11/13, I traveled to (b)(6), (b)(7) Upon arrival, I informed (b)(6), (b)(7) that I needed to speak with him regarding seed types that are handled by (b)(6), (b)(7) I explained to (b)(6), (b)(7) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
3. (b)(6), (b)(7) willingly agreed to speak with me.
4. I provided (b)(6), (b)(7) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

During our conversation, I asked (b)(6), (b)(7) **the following questions:**

5. What type of seed does (b)(6), (b)(7) sell?
 - (b)(6), (b)(7) responded by confirming that (b)(6), (b)(7) sells only (b)(6), (b)(7).

6. Does (b)(6) sell any wheat seed?

- (b)(6), responded by stating that (b)(6) has not been in the wheat seed business since (b)(6) with the exception of treating/storing (b)(6), (b)(7)(C) for a local farmer in (b)(6) cleaned and treated for planting.
- (b)(6), also indicated that he purchased (b)(6), (b)(7)(C) to replace equal amount that went bad during storage.

7. Are you aware of any farms growing Roundup ready wheat?

- (b)(6), responded by stating that he is not aware of any farms growing Roundup ready wheat.
8. (b)(6), concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and he did not have any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

3521

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg. B- (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) @aphis.usda.gov.
(b)(7)(C)

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

The interview I conducted with (b)(6), (b)(7)(C) was for OR130018-BR.

2. On 6/6/13, I traveled out to (b)(6), (b)(7)(C) farm. Upon arrival, no one was home, so I traveled out to the (b)(6), (b)(7)(C) to speak with someone who may know (b)(6), (b)(7)(C) and know how to get in touch with him. I spoke with an individual who identified himself as (b)(6), (b)(7)(C)
3. After introducing myself, I stated the reason for my visit and then proceeded to ask if he knew (b)(6), (b)(7)(C) and if he could provide me a contact number.
 - (b)(6), (b)(7)(C) responded by stating that I need to speak with (b)(6), (b)(7)(C) farm hand at the (b)(6), (b)(7)(C) and he will be able to tell me when (b)(6), (b)(7)(C) will be back in from the field.
(b)(7)(C)
4. I drove back to (b)(6), (b)(7)(C) to speak with the farm hand and while speaking with him, (b)(6), (b)(7)(C) drove up to the (b)(6), (b)(7)(C)
5. At that time, I explained to (b)(6), (b)(7)(C) that I was an Investigator with USDA and the purpose for my visit was to obtain information concerning his farm operation in response to an ongoing investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.

6. I provided (b)(6), (b) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b) provided me with the follow information:

7. (b)(6), (b) stated that he has not observed any volunteer wheat growing in his fields after spraying with herbicides containing the active ingredient glyphosate.
8. (b)(6), (b) stated that his farming operation consist of a wheat/fallow practice. He indicated that he farms (b) acres and generally has approximately (b) acres fallow in any given year. All dry land farming.
9. (b)(6), (b) confirmed that he does not plant the WB 528 variety or any Club style varieties. He stated that he did plant Rod mixed with (b)(6), (b)(7)(c) soft white and (b)(6), (b)(7)(c) confirmed that the past (b)(6), (b)(7)(c) he has planted a blend consisting of Rod and (b)(6), (b)(7)(c) All seed is purchased in bulk from (b)(6), (b)(7)(c) (b)(6), (b)
10. (b)(6), (b) stated that he only farms wheat with the exception of some (b)(6), (b)(7)(c); no GMO crops.
11. (b)(6), (b) stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, the weeds in the wheat crop are controlled by spraying a blend of several herbicides consisting of 2-4D Amine, Ally XP, PowerFlex and Dicamba. He indicated that Spreader 90 is the surfactant used and all chemicals are mixed with well water.
12. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brand glyphosate used consist of RT 3, Glystar and Sparpen. All chemicals are purchased from (b)(6), (b)(7)(c).
13. The fallow ground will be broken with a disc in late May/early June after weed burn down, fertilizer will be applied and then planted in September.

14. (b)(6), (b) stated that he owns and leases his land and he uses his own equipment to plant and harvest his crop. No custom planting, harvesting or spraying. I own my own tank sprayer, but I have used custom spraying services provided by (b)(6), . All grain is sold to (b)(6), (b)(7)(C)
15. (b)(6), (b) indicated that he does not store grain on his farm nor does he retain grain for seed.
16. (b)(6), (b) indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
17. (b)(6), (b) indicated that he does use a crop consultant service provided by (b)(6), (b)(7) in (b)(6), (b)(7)
18. (b)(6), (b) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)
(6)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) @aphis.usda.gov.

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C). The interview I conducted with (b)(6), (b)(7) was for OR130018-BR.

2. On 6/6/13, I traveled out to (b)(6), farm. Upon arrival, no one was home, so I traveled out to the neighboring farm to speak with someone who may know (b)(6), and how to get in touch with him. I spoke with an individual who identified himself as (b)(6), (b)(7) ((b)(6), (b)(7) b
3. After introducing myself, I stated the reason for my visit and then proceeded to ask if he knew (b)(6), and if he could provide me a contact number. (b)(7)
 - (b)(6), (b) responded by stating that (b)(6), was a (b)(6), (b)(7)(C) and would not be home until (b)(7) 1630 hours. He also provided me with (b)(6), phone number; (b)(6), (b)(7)(C).
4. On 6/6/13, I made an attempt to contact (b)(6), but no one answered; I left a voice mail message indicating that I need him to contact me. (b)(7)
5. On 6/6/13, at approximately 1950 hours, (b)(6), contacted me on my mobile phone. I introduced myself and then proceeded to state the reason for me contacting him. (b)(7)
6. I informed (b)(6), that I needed to meet with him for obtaining information pertaining to his farming operation through a series of questions. I explained to (b)(6), that my visit (b)(7)

was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.

7. (b)(6), (b)(7) agreed and an appointment was schedule for 1630 on 6/7/13.
8. On 6/7/13, at approximately 1630 hours, I arrived at (b)(6), farm house located at (b)(6), (b)(7)(C).
9. Upon arrival, I explained once again, that I was an Investigator with USDA and the purpose for my visit was to obtain information concerning his farm operation in response to an ongoing investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
10. I provided (b)(6), (b)(7) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7) provided me with the follow information:

11. (b)(6), (b)(7) stated that he has not observed any volunteer wheat still growing in his fields after spraying any herbicide containing glyphosate as the active ingredient.
12. (b)(6), (b)(7) stated that his farming operation consist of a wheat/fallow practice. He indicated that he farms (b)(6) acres and generally has approximately (b)(6) fallow in any given year. All dry land farming.
13. (b)(6), (b)(7) confirmed that he does not plant the WB 528 variety or any Club style variety including Coda Club. He stated that he did plant Rod winter wheat in (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) He confirmed that he plants a blend consisting of Rod, Tubbs and Xerpha soft white. All seed is purchased in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(7).
14. (b)(6), (b)(7) stated that he only farms wheat with the exception of growing (b)(6), (b)(7)(C) approximately (b)(6) years ago.
15. (b)(6), (b)(7) stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, for weed/disease control, he will spray the crop with a blend of several herbicides and a fungicide consisting of Tilt (fungicide), Olympus, MCPA Amine 4 (form of 2-4D), and PowerFlex. He indicated that Spreader 90 is the surfactant used and all chemicals are mixed with well water. He also mixes in a form of Sulfate to enhance uptake of the chemicals by the plant.

16. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until applying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brands of chemicals containing glyphosate that are used consist of RT 3 and Glystar. All chemicals purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7)
17. In June, the fallow ground will be turned using a disc and fertilized is applied. The ground will be seeded in September.
18. (b)(6), (b)(7) stated that he owns his land and he uses his own equipment to plant and harvest his crop. No custom planting, harvesting or spraying. All grain sold to (b)(6),
19. (b)(6), (b)(7) indicated that he does not store grain on his farm nor does he retain grain for seed.
20. (b)(6), (b)(7) indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
21. He indicated that he does use a crop consultant service provided by (b)(6), (b)(7)(C) .
22. (b)(6), (b)(7) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C) My work address is 2150 Centre Ave., Bldg. (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) aphis.usda.gov.

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

The interview I conducted with (b)(6), (b)(7)(C) **was for OR130018-BR.**

2. On 6/11/13, I traveled out to (b)(6), (b)(7)(C) farm. Upon arrival, I informed (b)(6), (b)(7)(C) that I needed to meet with him for obtaining information pertaining to his farming operation through a series of questions. I explained to (b)(6), (b)(7)(C) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
3. (b)(6), (b)(7)(C) willingly agreed to speak with me.
4. I provided (b)(6), (b)(7)(C) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7)(C) provided me with the follow information:

5. (b)(6), (b)(7)(C) stated that he has not observed any volunteer wheat growing in his fields after spraying herbicides containing the active ingredient glyphosate.
6. (b)(6), (b)(7)(C) stated that his farming operation consist of a wheat/fallow practice. He confirmed that he farms/owns (b)(6), (b)(7)(C) acres, which half of the total acres is leased ground. He indicated that approximately (b)(6), (b)(7)(C) of the (b)(6), (b)(7)(C) acres will be fallow each year.

7. (b)(6), confirmed that he does not plant the WB 528 wheat variety or any Club style variety including Coda Club. He confirmed that he plants a blend consisting of Tubbs 06 and ORSF 102, Clearfield soft white. All seed purchased in bulk from (b)(6), (b)(7)(C)
8. (b)(6), stated he does not seed any Roundup Ready wheat nor does he know of any other farms planting Roundup ready wheat.
9. (b)(6), stated that he only farms wheat; no other crops. He also confirmed that he does not grow any GMO crops.
10. (b)(6), stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, the weeds in the wheat crop are control by spraying with a blend of several herbicides consisting of **2, 4-D, Ally XP** and **Banvel**. He also, adds Solution 32 fertilizer to the tank mix and a water conditioner identified as **Bronc Max**. He indicated that **Spreader 90** is the surfactant used and all chemicals are mixed with well water.
11. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brand of glyphosate used is **RT 3**. He also adds **Ultra Pro** (Ammonium Sulfate) to the tank mix to enhance uptake of the chemicals by the plant.
12. All chemicals purchased from (b)(6), (b)(7)
13. In May/June, after weed burn down, the fallow ground will be cultivated and then planted in September.
14. (b)(6), stated that he uses his own equipment to prepare the ground, plant and spray. He also indicated that he plants approximately (b)(6) acres of seed wheat for (b)(6), (b)(7)(C). All grain is sold through (b)(6) and (b)(6), (b)(7)(C).
15. (b)(6), indicated that he does not store grain on his farm.
16. (b)(6), indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
17. He indicated that he does use a crop consultant service provided by (b)(6), (b)(7)

18. (b)(6), concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and he did not have any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)
(6)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg. B- (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) @aphis.usda.gov.
(b)(7)(C)

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C). **The interview**

I conducted with (b)(6), (b)(7)(C) **was for OR130018-BR.**

2. On 6/6/13, I could not locate (b)(6), (b)(7)(C) farm with the address provided to IES, so I stopped by a farm in the area to speak with someone who may know (b)(6), (b)(7)(C) and possibly know how to get in touch with him. I spoke with an individual who identified himself as (b)(6), (b)(7)(C)
3. After introducing myself, I stated the reason for my visit and then proceeded to ask if he knew (b)(6), (b)(7)(C) and if he could provide me a contact number.
 - (b)(6), (b)(7)(C) responded by stating that he did know (b)(6), (b)(7)(C) and knew where his farm was located; however, he indicated that (b)(6), (b)(7)(C) would not be at his farm, because of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) provided me with two phone numbers for (b)(6), (b)(6), (b)(7)(C) (b)(7)(C)
4. On 6/6/13, I made an attempt to contact (b)(6), (b)(7)(C) but no one answered; I left a voice mail message indicating that I needed him to contact me.
5. On 6/6/13, at approximately 1440 hours, (b)(6), (b)(7)(C) contacted me on my mobile phone. I introduced myself and then proceeded to state the reason I was contacting him.

6. I informed (b)(6), (b)(7) that I needed to meet with him to obtain information pertaining to his farming operation through a series of questions. I explained to (b)(6), (b)(7) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
7. (b)(6), (b)(7) agreed to meet with me and an appointment was scheduled for 1530 on 6/6/13 at a sandwich shop in (b)(6), (b)(7).
8. On 6/6/13, at approximately 1530 hours I arrived at the location and (b)(6), (b)(7) arrived approximately 20 minutes after my arrival.
9. Upon our initial meeting, I explained once again, that I was an Investigator with USDA and the purpose for my visit was to obtain information concerning his farm operation in response to an ongoing investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
10. I provided (b)(6), (b)(7) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7) provided me with the following information:

11. (b)(6), (b)(7) stated that he has not observed any volunteer wheat growing in his fields after spraying herbicides containing the active ingredient glyphosate.
12. (b)(6), (b)(7) stated that his farming operation consists of a wheat/fallow practice. He indicated that he farms (b)(6) acres and generally has approximately (b)(6) acres fallow in any given year.
13. (b)(6), (b)(7) confirmed that he did not plant the wheat variety WB528 the years (b)(6), (b)(7)(C) however, he indicated that it was planted in (b)(6), (b)(7). He also indicated that he did not plant Rod or any Club style variety including Coda Club. He confirmed that he plants a blend consisting of Stevens, Tubbs and WB 1070, which are purchased in bulk from (b)(6), (b)(7). (b)(6), (b)(7) (b)(6), (b)(7).
14. (b)(6), (b)(7) stated that he only farms wheat; no other crops nor any GMO.

15. (b)(6), (b)(7) stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, weeds in the wheat are controlled by spraying the crop with several brands of herbicides containing 2, 4-Dichlorophenol (2, 4-D). Brands consist of PowerFlex, Amine 4 and 2,4-D. He indicated that Spreader 90 is the surfactant used and all chemicals are mixed with well water.
16. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brand glyphosate used consist of RT 3 and Glystar and Sharpen. All chemicals are purchased from (b)(6), (b)(7)(C) (b)(6), (b) (b)(6), (b)(7)(C) stated that he uses a custom sprayer service provided by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)
17. The fallow ground will be broken with a disc and moldboard plow in late May/early June after weed burn down and then planted in September.
18. (b)(6), (b)(7) stated that he owns his land and he uses his own equipment to plant and harvest his crop; no custom planting or harvesting. All grain sold to (b)(6), (b)(7)
19. (b)(6), (b)(7) indicated that he does not store grain on his farm nor does he retain grain for seed.
20. (b)(6), (b)(7) indicated that he has never had test plots on his land nor is he aware of any test plots in the area. He also stated that he was not aware of any Monsanto biotech plots in (b)(6), (b)(7)(C)
21. He indicated that he does use a crop consultant service provided by (b)(6), (b)(7) (b) (b)(6), (b) (b)(6), (b)(7)
22. (b)(6), (b)(7) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and he could not offer any explanation how this could have occurred.
23. (b)(6), (b)(7) informed me that he was the (b)(6), (b)(7)(C) (b)(6), (b)(7) (b)(6), (b)(7)

24. On 6/6/13, per IES, (b)(6), (b)(7) was identified as a farm that needed to be visited by an Investigator. I interviewed (b)(6), on 6/6/13 to obtain information pertaining to (b)(6), (b)(7). An additional declaration was prepared. (b)(6), (b)(7)

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C) My work address is 2150 Centre Ave., Bldg. B- (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C) I can also be contacted via email at (b)(6), (b)(7)(C) aphis.usda.gov.

This declaration documents the details of my conversation with (b)(6), (b)(7)(C))

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) **The interview I conducted with** (b)(6), (b)(7) **was for OR130018-BR.**

2. On 6/6/13, I made an attempt to contact (b)(6), (b)(7) but no one answered; I left a voice mail message indicating that I needed him to contact me.
3. On 6/6/13, at approximately 1440 hours, (b)(6), (b)(7) contacted me on my mobile phone. I introduced myself and then proceeded to state the reason I was contacting him.
4. I informed (b)(6), (b)(7) that I needed to meet with him for obtaining information pertaining to farming operations performed by (b)(6), (b)(7) I informed him that the information would be obtained through a series of questions. I explained to (b)(6), (b)(7) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
5. (b)(6), (b)(7) agreed to meet with me and an appointment was schedule for 1530 on 6/6/13 at a sandwich shop in (b)(6), (b)(7).
6. On 6/6/13, at approximately 1530 hours I arrived at the location and (b)(6), (b)(7) arrived approximately 20 minutes after my arrival.
7. Upon our initial meeting, I explained once again, that I was an Investigator with USDA and the purpose for my visit was to obtain information concerning (b)(6), (b)(7)'s farming operation in response to an ongoing investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.

8. I provided (b)(6), (b)(7) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), provided me with the follow information regarding farming operations for (b)(6), (b)(7)

9. (b)(6), stated that he has not observed any volunteer wheat growing in fields owned by (b)(6), after spraying herbicides containing glyphosate as the active ingredient. (b)(6)
10. (b)(6), stated that (b)(6), operation consist of a wheat/fallow practice. He indicated that (b)(6), farms approximately (b)(6), acres and generally has approximately (b)(6), acres fallow in any given year. (b)(7)
11. (b)(6), confirmed that (b)(6), did not plant the WB528 variety the years of (b)(6), (b)(7) but it was planted in (b)(6), (b)(7). He also indicated that (b)(6), did not plant Rod or any Club style variety including Coda Club. He confirmed that (b)(6), plants a blend consisting of Stevens, Tubbs and WB 1070. He stated that seed is purchased in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
12. (b)(6), stated that wheat is not the only crop grown on (b)(6), (b)(7) (b)(6), (b)(7)(C) are also grown. Also he indicated that GMO corn is grown on (b)(6), (b)(7) (b)(7)
13. (b)(6), stated that the farming operation on (b)(6), (b)(7) begins with seeding the fields in September with grain drill. In March the following year, weeds in the wheat are controlled by spraying the crop with several brands of herbicides containing 2, 4-Dichlorophenol (2, 4-D). Brands consist of PowerFlex, Amine 4 and 2, 4-D. He indicated that Spreader 90 is the surfactant used and all chemicals are mixed with well water. (b)(7)
14. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brand glyphosate used consist of RT 3, Glystar and Sharpen. All chemicals are purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), stated that (b)(6), uses a custom sprayer service provided by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

15. The fallow ground will be broken with a disc and moldboard plow in late May/early June after weed burn down and then planted in September.
16. (b)(6), (b)(7) stated that (b)(6) owns the land they farm and they use their own equipment to plant and harvest their crops; no custom planting or harvesting. All grain sold to (b)(6).
17. (b)(6), (b)(7) indicated that (b)(6) does not store grain on the farm nor do they retain grain for seed.
18. (b)(6), (b)(7) indicated that (b)(6) does not have any test plots on their land, but he is aware of ARS test plots on (b)(6), (b)(7)(C). (b)(6), (b)(7) stated that he has no knowledge of the test plot farming practices conducted by ARS. He also stated that he was not aware of any Monsanto biotech plots in (b)(6), (b)(7)(C).
19. He indicated that (b)(6), (b)(7) does use a crop consultant service provided by (b)(6), (b)(7).
20. (b)(6), (b)(7) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)

15. The fallow ground will be broken with a disc and moldboard plow in late May/early June after weed burn down and then planted in September.
16. (b)(6), (b)(7) stated that (b)(6) owns the land they farm and they use their own equipment to plant and harvest their crops; no custom planting or harvesting. All grain sold to (b)(6).
17. (b)(6), (b)(7) indicated that (b)(6) does not store grain on the farm nor do they retain grain for seed.
18. (b)(6), (b)(7) indicated that (b)(6) does not have any test plots on their land, but he is aware of ARS test plots on (b)(6), which consist of (b)(6), (b)(7)(C). (b)(6), (b)(7) stated that he has no knowledge of the test plot farming practices conducted by ARS. He also stated that he was not aware of any Monsanto biotech plots in (b)(6), (b)(7), (b)(6).
19. He indicated that (b)(6) does use a crop consultant service provided by (b)(6), (b)(7), (b)(6), (b)(6), (b)(7)(C).
20. (b)(6), (b)(7) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am employed by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Investigative and Enforcement Services (IES) as an Investigator; I have held this position since (b)(6), (b)(7)(C). My work address is 2150 Centre Ave., Bldg. B- (b)(6), (b)(7)(C) Ft. Collins, CO 80526 and my work phone is (b)(6), (b)(7)(C). I can also be contacted via email at (b)(6), (b)(7)(C) @aphis.usda.gov.

This declaration documents the details of my conversation with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C). The interview I conducted with (b)(6), (b)(7)(C) was for OR130018-BR.

2. On 6/7/13, I traveled out to (b)(6), (b)(7)(C) farm. Upon arrival, I informed (b)(6), (b)(7)(C) that I needed to meet with him for obtaining information pertaining to his farming operation through a series of questions. I explained to (b)(6), (b)(7)(C) that my visit was in response to an ongoing USDA investigation involving the discovery of glyphosate resistant wheat on a farm in Oregon.
3. (b)(6), (b)(7)(C) willingly agreed to speak with me.
4. I provided (b)(6), (b)(7)(C) with a copy of the USDA press release dated 5/29/13, which contained the latest information regarding the discovery of the glyphosate resistant wheat.

(b)(6), (b)(7)(C) provided me with the follow information:

5. (b)(6), (b)(7)(C) stated that he has not observed any volunteer wheat growing in his fields after spraying herbicides containing the active ingredient glyphosate.
6. (b)(6), (b)(7)(C) stated that his farming operation consist of a wheat/fallow practice. He indicated that he farms (b)(6), (b)(7)(C) acres and generally has approximately (b)(6), (b)(7)(C) of the (b)(6), (b)(7)(C) fallow in any given year. All dry land farming.

7. (b)(6), (b)(7)(C) confirmed that (b)(6), (b)(7)(C) he did not plant the WB 528 wheat variety or any Club style variety including Coda Club. He stated that he did plant Rod winter wheat in (b)(6), (b)(7)(C). He confirmed that he plants a blend consisting of Legend, Tubbs, Rod and Skiles soft white. He also indicated that this year he will plant some club style wheat. All seed purchased in bulk from (b)(6), (b)(7)(C) (b)(6), (b)(7)
8. (b)(6), (b)(7)(C) stated that he only farms wheat; no other crops. He also confirmed that he does not grow any GMO crops.
9. (b)(6), (b)(7)(C) stated that his farming operation begins with seeding his fields in September; self-plants with grain drill. In March the following year, the weeds in the wheat crop are control by spraying with a blend of several herbicides consisting PowerFlex, 2, 4-D, Ally XP, and Salvo.
10. The wheat crop will be harvested in July. After harvest, the fallow ground will be untouched until spraying a glyphosate herbicide in March/April the following year. He indicated that growth of weeds during this time will be approximately 4"-6". The brands of glyphosate used consist of RT 3 and Glystar. He indicated that a surfactant is used and all chemicals are mixed with well water and a water conditioner identified as Choice is added to the mix. He also, adds Solution 32 fertilizer to the tank mix. All chemicals purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7)
11. In June (pre-plant), the fallow ground will be plowed and then planted in September.
12. (b)(6), (b)(7)(C) stated that he owns his land and he uses his own equipment to prepare the ground and plant, but he rents the combine to harvest and rents a sprayer (80' tank) to spray. No custom planting, harvesting or spraying. All grain is sold through (b)(6), (b)(7)
13. (b)(6), (b)(7)(C) indicated that he does not store grain on his farm nor does he retain grain for seed.
14. (b)(6), (b)(7)(C) indicated that he has never had test plots on his land nor is he aware of any test plots in the area.
15. He indicated that he does use a crop consultant service provided by (b)(6), (b)(7)

16. (b)(6), (b) concluded by stating that he is not aware of any farms in the area experiencing a problem with glyphosate resistant wheat and could not offer any explanation how this could have occurred.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/10/13.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)
(6)

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since 1998. My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building B 3W-10 Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 5, 2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat in Oregon.

(b)(6), (b)(7) stated he operates (b)(6), Farms and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7) stated his farm consists of (b)(6), (b)(7) acres and it's entirely dry-land farming. He stated he has been farming for (b)(6), (b)(7) years. He stated he farms leased land and he does not hire anyone to custom farm his land, but he does hire some custom spraying. He stated he does not lease land to anyone else. (b)(6), (b)(7) said he used the crop consulting services provided by (b)(6), (b)(7)(C). (b)(6), (b)(7) stated he uses his own equipment to plant and harvest his wheat.

(b)(6), (b)(7) confirmed he planted Westbred 528 (WB528) and Rod winter wheat varieties in (b)(6), (b)(7) and Rod variety in (b)(6), (b)(7) but now he grows Clearfield 102 variety. He stated he has not grown Coda Club winter wheat or any Club style winter wheat. He stated he does not grow soybeans, corn, or sugar beets. He stated he purchases his wheat seed from (b)(6), (b)(7)(C). (b)(6), (b)(7) He stated he purchases the seed in bulk form, meaning it arrives at his farm in a truck and he does not have the seed labels.

(b)(6), (b)(7) stated he plants with his own wheat with his own drill and usually brushes or vacuums the drill when he needs to clean it. He said he summer-fallows his wheat land. He stated he plants wheat in September and harvests in July the following year. He stated he uses Glyphosate at a rate of 24 ounces per acre to kill weeds in the spring of the year he plants, and it fries everything. He said he uses Monsanto RT 3 brand glyphosate labeled for dry-land wheat, and does not mix additional herbicides with glyphosate.

He stated he buys his chemicals from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

He stated he mixes glyphosate in the tank with well water.

(b)(6), (b)(7) stated he has never experienced an incident where the glyphosate applied to his fields did not kill volunteer wheat sprouts.

(b)(6), (b)(7) stated he harvests his own grain with his own combine and he sells the grain to (b)(6). He stated he transports the harvested grain to (b)(6), himself. He does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated he usually bales the wheat straw remaining in the field after harvest.

(b)(6), (b)(7) stated he does not, and has not, had wheat test plots on his farm, but he thought (b)(6), (b)(7)(C) possibly has some wheat test plots in his vicinity.

(b)(6), (b)(7) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and stated he thought the presence glyphosate resistant wheat was an act of sabotage and it should be investigated by the FBI.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 6, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 5, 2013 at (b)(6), (b)(7)(C) premises located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat in Oregon.

(b)(6), (b)(7)(C) stated he operates a farm as an (b)(6), (b)(7)(C) under the name (b)(6), (b)(7)(C), and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated his operation consists (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) has been farming at this location for (b)(6), (b)(7)(C) years.

(b)(6), (b)(7)(C) stated his entire wheat operation is irrigated and he currently grows (b)(6), (b)(7)(C) acres of wheat consisting of (b)(6), (b)(7)(C) acres of soft white and (b)(6), (b)(7)(C) hard red winter consisting of a blend of two-thirds (b)(6), (b)(7)(C) brand seed and one-third Westbred 528 (WB528) varieties. He stated he has not planted Rod winter wheat, Coda Club winter wheat or any Club style winter wheat. He stated he does not grow soybeans, or sugar beets, but he does grow some (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) and he grows (b)(6), (b)(7)(C). He stated he farms his own land with his own equipment, and does not hire anyone to custom farm his land or lease any land to anyone else. He said he does occasionally use (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) consultants.

He stated he purchases his wheat seed from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and the seed arrives in bulk form, meaning it arrives at his farm in a truck and he does not have the seed labels but he has the invoices for the seed.

(b)(6), (b)(7)(C) stated he harvests his crop in July, and after harvest he disks the ground. He stated in mid-September he waters the ground to bring up the weeds and then he sprays Glyphosate using a ground sprayer to kill the volunteer wheat and the weeds that emerge before re-planting.

He said he sprays all brands of glyphosate including Monsanto PowerMax brand glyphosate labeled for irrigated wheat. He stated he buys his chemical from (b)(6), (b)(7) located in (b)(6), (b)(7)(C) or (b)(6), (b)(7) located in (b)(6), (b)(7)(C). He stated he mixes glyphosate in the tank with well water, and adds (b)(6), (b)(7) brand surfactant to make the glyphosate stick to the weeds.

(b)(6), (b)(7) stated he has never experienced problems where the glyphosate he applied did not kill volunteer wheat sprouts in his fields, and if he did, he would complain to the chemical salesman.

(b)(6), (b)(7) stated he harvests his own grain with his own combine and he sells the grain to (b)(6). He stated he transports the harvested grain himself. He said he does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated after harvest he bales and feeds some of the wheat stubble locally.

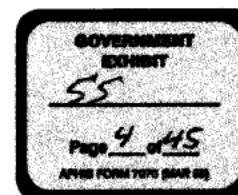
(b)(6), (b)(7) stated he does not and has not had wheat test plots on his farm, and he is not aware of any wheat test plots currently in his vicinity.

(b)(6), (b)(7) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could not offer any explanation why glyphosate resistant wheat appeared in Oregon other than someone made a mistake.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 6, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) June 7, 2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he operates (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) are associated with the corporation, but they do not actually farm the land. (b)(6), (b)(7)(C) stated his operation consists (b)(6), (b)(7)(C) acres of entirely dry-land farming in proximity to his residence, but he does have some farm land on (b)(6), (b)(7)(C). He stated he farms the land leased from the corporation. He said he does not lease his land to anyone else.

He stated he uses the crop consulting services provided by (b)(6), (b)(7)(C) and they perform some of his spraying and fertilizing. (b)(6), (b)(7)(C) stated he uses his own equipment to plant and harvest his wheat, but on occasion (b)(6), (b)(7)(C) leases his ground spray equipment.

(b)(6), (b)(7)(C) confirmed he planted a blend of Westbred 528 (WB528), Rod, and Trifecta wheat varieties in (b)(6), (b)(7)(C). He stated he has not grown Coda Club wheat or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets. He stated he purchases his wheat seed from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) who is the same company as (b)(6), (b)(7)(C). He said the (b)(6), (b)(7)(C) headquarters are in (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated he plants wheat in the fall and harvests in July of the following year, and fallows half of his wheat land per year. He stated he disks the fallow land in November after harvest, and sprays with Round-Up Glyphosate to kill weeds in March or April of the year he plants.

He said after he sprays with Round-Up he cross harrows the land and chisel plows and fertilizes in June. He said he uses Monsanto RT 3 brand glyphosate. He said (b) fertilized his land the morning we arrived. He said on occasion he sprays Landmaster herbicide (b) to kill Morning glory, and Maverick herbicide to kill Cheat grass weeds. He said he also uses Metribusin, and Power Flex to suppress Oats and Goat grass. He said he uses Gunsmoke as water PH adjuster, and Spreader 90 as a surfactant. He said he also adds Solution 32 fertilizer to the spray tank when needed. (b)(6), (b) said he takes his spray tank to (b)(6), (b)(7) and fills it with, "town water." (b)(6), (b) stated he buys his herbicides from (b) and he has been farming in this fashion for years. He said if his herbicide didn't work he would contact the herbicide dealer or (b) (6)

(b)(6), (b) stated the only instance he has experienced where glyphosate applied to his fields did not kill volunteer wheat sprouts was caused by a dust problem. He said the implements kick up dust as they travel over the land and it prevents the herbicide reaching the weeds effectively.

(b)(6), (b) stated he harvests his own grain with his own combine and he sells the grain to (b)(6), (b). He stated he transports the harvested grain to the elevator himself. He said he cleans his equipment after use in order to prevent problems when he must service the equipment. He does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated he disks the wheat straw remaining in the field after harvest.

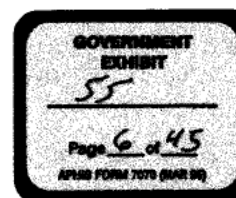
(b)(6), (b) stated many years ago he had wheat test plots on his farm, but not recently, and he thought there might be tests plots in the area because you see flags out in fields and they don't put out test plot signs unless the crop looks good and the company wants to have a field day.

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred. (b) stated he was somewhat concerned with the issue because he heard the glyphosate resistant wheat could cross with Goat grass and then the farmers would not be able to kill the Goat grass with glyphosate creating a serious problem. (b) (6)

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 6, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 5, 2013 at (b)(6), (b)(7)(C) premises located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat in Oregon.

(b)(6), (b)(7)(C) stated he (b)(6), (b)(7)(C) operate a farm as a (b)(6), (b)(7)(C) under the name (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated his operation consists entirely of dry-land farming, and he has been farming at this location since (b)(6). He stated he farms his own land, as well as leased land, and he does not hire anyone to custom farm his land. (b)(6), (b)(7)(C) stated he uses his own equipment to plant and harvest, and he does not hire custom farmers.

(b)(6), (b)(7)(C) stated he currently grows (b)(6) acres of wheat consisting of (b)(6) acres of Westbred 528 (WB528) variety as well as a mixture of WB 528, Rod and Zerfa varieties. He stated in the past he has planted Stevens, Trifecta, and Tubbs. He stated he recalled planting Coda Club winter wheat (b)(6), (b)(7)(C) years ago. He stated he does not grow soybeans, corn, or sugar beets, but does grow (b)(6). He stated he purchases his wheat seed from (b)(6), (b)(7)(C) and in the past has used (b)(6), (b)(6), (b)(7)(C). He stated he purchases the seed in bulk form, meaning it arrives at his farm in a truck; hence he does not have the seed labels.

(b)(6), (b)(7)(C) stated he plants with his own wheat with his own drill and usually vacuums the drill when he needs to clean it. He said he chem-fallows his wheat land. He stated he plants wheat in September and harvests in July the following year. He stated he uses Glyphosate occasionally after harvest to control thistle, but normally he will apply glyphosate in the spring using a ground sprayer after the weeds emerge.

He said he uses Monsanto RT 3 brand glyphosate labeled for dry-land wheat, and does not mix additional herbicides with glyphosate. He stated he buys his chemical from (b)(6), (b)(7)(C) ((b)(6), in (b)(6), (b) (b)(6), (b) (b)(6), (b)(7) located in (b)(6), (b)(7). He stated he mixes glyphosate in the tank with well water and adds a surfactant to make it stick to the weeds, and he rinses out the tank before and after applying glyphosate.

(b)(6), (b)(7)(C) stated he has never experienced an incident where the glyphosate he applied did not kill volunteer wheat sprouts in his fields, and if he did, he would complain to the chemical salesman.

(b)(6), (b)(7)(C) stated he harvests his own grain with his own combine and he sells the grain to (b)(6), (b)(7)(C) He stated he transports the harvested grain himself, and cleans the trailer after transporting (b)(6), (b)(7)(C) to prevent contamination. He does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated he usually mows the wheat stubble remaining in the field after harvest.

(b)(6), (b)(7)(C) stated he does not and has not had wheat test plots on his farm, and he is not aware of any wheat test plots currently in his vicinity.

(b)(6), (b)(7)(C) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could not offer any explanation why glyphosate resistant wheat appeared in Oregon.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 6, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 5, 2013 at (b)(6), (b)(7)(C) premises located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat in Oregon.

(b)(6), (b)(7) stated he operates his farm (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7) stated he operates an entirely (b)(6), (b)(7)(C) farm on land that he owns and has done so since (b)(6), (b)(7)(C). (b)(6), (b)(7) said he does not lease land to any other farmers. (b)(6), (b)(7) (b)(6), (b)(7) (b)(6), (b)(7)(C) as fertilizer on his crops. (b)(6), (b)(7) has not used any herbicides since (b)(6), (b)(7)(C).

(b)(6), (b)(7) stated he planted (b)(6), (b)(7)(C) of Rod winter wheat in (b)(6), (b)(7) and he thought he still has some of the seed. He stated he also planted Buck Pronto variety spring wheat, Louise soft white spring wheat and Nick variety spring wheat. He stated he does not grow Coda Club winter wheat or any Club style winter wheat.

He stated he does not grow soybeans, or sugar beets, but he does grow some non-genetically modified (b)(6), (b)(7)(C) and he grows (b)(6), (b)(7)(C). He stated he farms his own land with his own equipment, and does not hire anyone to custom farm his land or lease any land to anyone else. He said he does occasionally use (b)(6), (b)(7)(C) consultants located in the (b)(6), (b)(7)(C).

He stated he purchases his wheat seed from (b)(6), (b)(7)(C) (b)(6), (b)(7) and the seed arrives in bulk form, meaning it arrives at his farm in large "tote" sacks and he does not have the seed.

(b)(6), (b)(7) stated he harvests his wheat crop in July or August, and uses an (b)(6), rotation to control weeds along with mechanical means. (b)(6), (b)(7) stated he harvests his own grain with his own combines and he takes the harvested grain to a special grain storage facility because the (b)(6), wheat must be stored separately. He stated he transports the harvested grain himself. (b)(6), (b)(7) stated he sells the wheat to (b)(6), wheat buyers, mainly distilleries. (b)(6), (b)(7) said he does not retain wheat from his crop for re-planting.

(b)(6), (b)(7) stated he does not, and has not, had wheat test plots on his farm, and he is not aware of any wheat test plots currently in his vicinity.

(b)(6), (b)(7) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields, and he could not offer any explanation why glyphosate resistant wheat appeared in Oregon other than someone made a mistake.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 6, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 4, 2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat in Oregon.

(b)(6), (b)(7)(C) stated he operates under (b)(6), (b)(7)(C) a farm and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he does not dry-land farm; all of his wheat is irrigated and he leases the land. He stated he farms (b)(6), (b)(7)(C) acres of wheat.

(b)(6), (b)(7)(C) stated he has not planted Westbred 528 (WB528), Rod, Coda Club, or any Club style wheat varieties. He stated he plants Stephens varieties. He stated he purchases the seed in one ton bulk bags.

He stated he plants wheat in September and harvests in July the following year. He stated before he plants he will irrigate the land to germinate the weeds, and then he sprays using glyphosate to kill the weeds. He said he uses a variety of glyphosate brands; whatever is cheaper. He indicated he occasionally sprays Formula 40 Broadleaf weed killer. He said he also rotates (b)(6), (b)(7)(C) in his wheat acreage and mainly uses glyphosate for cleaning up around the farm. He said he also runs cattle on the land to clean the fields so he would not necessarily notice that glyphosate did not kill volunteer wheat. He said he uses a ground sprayer when he sprays, and occasionally (b)(6), (b)(7)(C) uses his equipment. He said he purchases his chemicals at the (b)(6), (b)(7)(C) and mixes them with well water in the tank.

(b)(6), (b)(7)(C) stated he has never experienced an incident where the glyphosate he applied did not kill volunteer wheat sprouts or any other weeds in his fields.

(b)(6), (b) stated he harvests his own grain with (b)(6), (b)(7) combine, and he sells the grain to (b)(6), (b)(7)(C) (b) (4)). He stated he transports the harvested grain himself, and sweeps the trailer to clean it. He said he does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated he runs his cows on the wheat stubble and bales some as well.

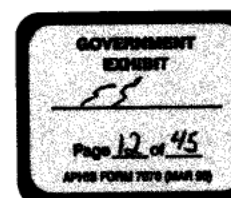
(b)(6), (b) stated he does not and has not had wheat test plots on his farm, but he does have a (b)(6), (b) and he is not aware of any wheat test plots currently in his vicinity. (b)(7)

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could not offer any explanation why glyphosate resistant wheat appeared in Oregon.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 6, 2013 at a premises located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. (b)(6), (b)(7)(C) stated he already had an appointment to meet with an investigator the next day, and we deduced it was because he operates on land owned by (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) said he also formerly farmed land (b)(6), (b)(7)(C), but not any longer. (b)(6), (b)(7)(C) said he also custom sprays land for other farmers. He agreed to go ahead and speak with me, but said he didn't want to meet twice. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon. (b)(6), (b)(7)(C) stated his telephone number is (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated his operation consists (b)(6), (b)(7)(C) acres of entirely dry-land farming. He said he fallows (b)(6), (b)(7)(C) acres per year. He does not lease the land to anyone else. He stated he is a (b)(6), (b)(7)(C) farmer and provides different services to several farmers. (b)(6), (b)(7)(C) stated he uses his own equipment to plant and harvest his wheat.

He stated he uses the crop consulting services provided by (b)(6), (b)(7)(C) with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). He said they assist him in identifying insects and diseases, but mainly they keep up with many different herbicide labels and formulations that may be used on the crop. He said the herbicides and the way they are used change frequently and it's too much trouble for him to keep up with the information.

(b)(6), (b)(7)(C) stated he planted Rod wheat variety in (b)(6), (b)(7)(C). He said he planted (b)(6), (b)(7)(C). He stated he has not grown Coda Club wheat or any Club style wheat from (b)(6), (b)(7)(C). He stated he purchases his wheat seed from (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C).

(b)(6), (b) stated he plants wheat in the fall and harvests in July of the following year, and fallows half of his wheat land per year. He said he has been farming in this manner for (b)(6), (b) years. He stated he uses the same grain no-till grain drill to plant each year. He said he normally uses a vacuum to clean the drill. He stated he may spray the fallow land three times during the year before he plants in order to control all the different weeds and to ensure the fields are clean.

He said he uses Monsanto RT 3 brand glyphosate mainly but he also uses generic glyphosate. (b) stated he has his own equipment and sprays with a ground sprayer that he cleans the tank before each use. (b)(6), (b) stated he buys his herbicides from (b)(6), (b)(7)(C) or (b)(6), (b)(7) which is located near the airport. (b)(6), (b) said he mixes the herbicides in the spray tank with well water. He said he adds the surfactant Activator Plus in the tank. He said if his herbicide didn't work he would contact the herbicide dealer or consultant.

(b)(6), (b) stated he has not experienced instances where glyphosate applied to his fields did not kill volunteer wheat sprouts.

(b)(6), (b) stated he harvests his own grain with his own combine and he sells the grain to (b)(6), (b). He stated he transports the harvested grain to the elevator himself. He does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples. He stated he disks the wheat straw remaining in the field after harvest.

(b)(6), (b) stated (b)(6), (b)(7) years ago he had wheat test plots in the area but not recently.

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred. (b)(6), (b) added that he just returned from a meeting at (b)(6), (b)(7) (b)(6), (b)(7)(C) attended by approximately fifty farmers. He said none of the farmers at the meeting said they ever had a problem with glyphosate not killing volunteer wheat, and they thought the government was blowing the incident out of proportion. He also said his understanding was the problem occurred in Oregon, and the wheat variety discovered to be resistant was a variety that grown over twenty years ago. He said one of the Agronomists at the meeting said the glyphosate resistant variety could not be determined. He also stated some of the farmers were discussing the interviews they gave to the government employees and that the government employees did not understand the farming practices used in the area.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 7, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 10, 2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he farms under the name (b)(6), (b)(7)(C), which is a partnership between his (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated his operation consists of (b)(6), (b)(7)(C) acres of owned and leased land. He stated he has (b)(6), (b)(7)(C) acres (b)(6), (b)(7)(C). He said he plants (b)(6), (b)(7)(C) acres of wheat a year, and leaves (b)(6), (b)(7)(C) acres fallow. He stated the farm is entirely dry-land. (b)(6), (b)(7)(C) stated the farm has been (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) and he stated he does not lease land to anyone else to grow wheat commercially.

(b)(6), (b)(7)(C) said he has never planted Round-Up Ready wheat. He stated he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He said when he heard about the glyphosate resistant wheat in Oregon, he looked at his fields and did not find any volunteer wheat that glyphosate did not kill.

(b)(6), (b)(7)(C) confirmed he planted Westbred 528 (WB528) variety in (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he was not sure if he planted Rod variety, but may have done so before. He stated he formerly planted Clearfield 102 and WB Trifecta. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets or any other crops. (b)(6), (b)(7)(C) said he does his own farming, owns his own equipment, and does not hire custom help.

I mentioned that I saw what appeared to be a wheat test plot near his home, and he said the test plot is affiliated with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

He said (b)(6), (b)(7)(C) is familiar with that test plot. He said (b)(6) cell phone number is (b)(6), (b)(7)(C) and his work number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) provides crop consulting services to the farm as well.

(b)(6), (b)(7)(C) stated he purchases wheat seed from (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C), a division of the (b)(6), (b)(7)(C). He said he buys the seed in bulk form and thought the seed is produced locally. He said he transports his own wheat seed and makes every effort to make sure the trucks are not contaminated with other seed in order to prevent other varieties, or other crops like peas, from growing in the fields.

(b)(6), (b)(7)(C) stated he plants wheat in September or October, and harvests in July of the following year. He stated he plants half of the land and leaves half fallow. He described the process as summer-fallow. He said he used minimum tillage farming practices. He said other growers do not use his grain drill. He said he has been farming in this manner for several years.

(b)(6), (b)(7)(C) stated when the wheat is growing he sprays it with Beyond and Maverick herbicides in March and/or April to suppress Goat grass and Cheat grass. He also sprays 2-4 D herbicide to control broadleaf weeds. He stated he buys his chemicals from (b)(6), (b)(7)(C).

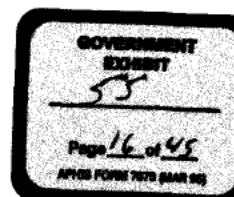
(b)(6), (b)(7)(C) stated that after harvest he mows or bales the wheat stubble, and while the land is fallow he sprays with glyphosate up to three times to control weeds. (b)(6), (b)(7)(C) stated he uses Monsanto RT-3 because Monsanto stands behind their product. He said he would spray eight ounces of product per acre in November, and another sixteen ounces later. He said he usually includes Spreader 90 surfactant in the spray tank as a sticker, and Choice as a water conditioner. (b)(6), (b)(7)(C) stated he uses well water to mix the chemicals in the tanks.

(b)(6), (b)(7)(C) stated he uses his own ground sprayer. He indicated he always made an effort to clean the sprayers after use by rinsing them out in a designated location. He said no one else used his spray equipment.

(b)(6), (b)(7)(C) stated he harvests the wheat with his combine and he sells it to (b)(6), (b)(7)(C). He stated he transports the harvested wheat to (b)(6), (b)(7)(C) in his trucks. He said he harvests with his combine and no one else used the combine.

He said he stores approximately (b)(6), (b)(7)(C) bushels of wheat on his property. He said he does not retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples.

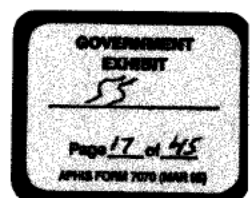
(b)(6), (b)(7)(C) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.



I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 11, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7) on June 11, 2013 at (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) home address is (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon. (b)(6), (b)(7) stated he farms under the name (b)(6), (b)(7)(C), and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7) also operated (b)(6), (b)(7)(C). He stated his wheat farming operation consists (b)(6), (b)(7) acres of non-irrigated leased land, and he has (b)(6) acres in fallow.

(b)(6), (b)(7) said he has not experienced an instance where glyphosate applied to his fields did not kill volunteer wheat.

(b)(6), (b)(7) said he planted a 50/50 blend of Westbred 528 (WB528) and Ovation varieties in (b)(6), (b)(7). (b)(6), (b)(7) stated he has planted Rod variety in a blend in the past, but has not planted Rod in the last few (b)(6), (b)(7) years. He stated he formerly planted Clearfield 102 and ArgoPro AP700 varieties. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7). He stated he always plants white wheat. He stated he does not plant soybeans, corn, or sugar beets.

(b)(6), (b)(7) stated he purchases wheat seed from (b)(6), (b)(7)(C), (b)(6), (b)(7) and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) (b)(6), (b)(7) (b)(6), (b)(7)(C). He said he buys the seed in bulk and transports his own wheat seed. He said they clean the trucks before getting the first load of seed and if they switch varieties.

(b)(6), (b)(7) stated he plants wheat in September or October and harvests in July of following year and said uses a summer fallow system. He said he occasionally conventionally tills the ground as well. He

said he plants using the same no-till drill and he fertilizes when he plants. He said he's been farming in this manner for (b) years.

(b)(6), (b)(7) said when the crop is growing he sprays it with a broad range of herbicides in the spring including Maverick, Olympus, and PowerMax to control Cheat grass or Downy Brome, and 2-4 D and Landmaster to control broadleaf weeds.

(b)(6), (b)(7) stated after harvest he chops or mows the wheat stubble, and while the land is fallow he sprays with herbicide up to three times to control weeds before he re-plants.

(b)(6), (b)(7) stated in April he will apply (b) ounces per acre of Monsanto RT 3 Round-Up but he has used generic glyphosate in instances when supply was low. He said he applies at a rate of nine gallons of water per acre. He said in June he will apply BASF product Sharpen to kill broadleaf weeds and he will apply Round-Up again in August. He stated he buys his chemicals from (b)(6), (b)(7) in Walla Walla, and he uses crop consultant services of (b)(6), (b)(7) of (b)(6), (b)(7)(c).

He said he includes PowerUp, a nitrogen based starter in the herbicide, and Cut-Rate which improves uptake of the chemical. He said he uses R-11® brand surfactant in the spray tank as a sticker. (b) stated he uses well water to mix the chemicals in the tanks and does not need to use a water conditioner.

(b)(6), (b)(7) stated he does not use custom farmers, but he rents equipment including the sprayer from (b)(7)(C). He said (b)(6), (b) phone number is (b)(6), (b)(7). He indicated he always cleans the sprayers after use by rinsing and flushing them out, and sometimes adds a deactivator to clean the tanks.

(b)(6), (b)(7) stated he pays (b)(6), (b) to harvest and transport his wheat. He said he sells the harvested wheat to (b)(6), and (b)(6), (b) transports the harvested wheat to (b)(6), (b)(7). He said he does not store grain on his farm, and he said he does not retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples.

(b)(6), (b)(7) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 11, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 10, 2013 at (b)(6), (b)(7)(C) premises residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he operates as (b)(6), (b)(7)(C), which is a partnership. He stated he's also a (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he did not farm (plant) this year, but his operation consisted of (b)(6), (b)(7)(C) acres of leased dry-land near (b)(6), (b)(7)(C). He stated the farm is now (b)(6), (b)(7)(C). He said he does not lease land to anyone else.

(b)(6), (b)(7)(C) said he never planted Round-Up Ready wheat. (b)(6), (b)(7)(C) stated he has been farming most of his life and he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants.

(b)(6), (b)(7)(C) stated he planted a mixture of Rod and Tubbs winter wheat in (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he did not plant Westbred 528 (WB528), Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets or any other crops. He stated he purchased the wheat seed from (b)(6), (b)(7)(C) of (b)(6), (b)(7)(C) in bulk form. (b)(6), (b)(7)(C) stated the seed he planted was treated with CruiserMaxx seed treatment to control wire worms or seed worms. He said he would clean his grain drill with an air compressor.

(b)(6), (b)(7)(C) stated he planted the wheat in September or October and harvested in July of the following year. He stated he did not plant half of the wheat land, and left it fallow. He described the process as chem-fallow. He said he used no-till farming practices meaning, he did not plow or disk the land.

(b)(6), (b) stated when the wheat was growing and small, he hired (b)(6), (b)(7)(C) to spray some of the wheat with a (b)(6), (b)(7)(C). He said they sprayed Maverick herbicide to control Cheat grass, and Quilt to control Rust.

(b)(6), (b) stated that after harvest he would mow the wheat stubble and while the land was fallow he would spray a variety of herbicides including glyphosate and Landmaster using his ground sprayer. He described the Landmaster as a mixture of glyphosate and a broadleaf weed killer. He stated he sprayed the fallow ground twice, once in April, and once in June and used Monsanto RT 3 glyphosate at a rate of (b) ounces per gallon of water. He said he may have also sprayed Sterling Blue, a broad leaf weed (b) killer. He said he mixed the herbicides with well water, and he would add Spreader 90 surfactant to make the herbicide stick to the plant, and another additive to prevent wind drift. He stated he bought the herbicides from the (b)(6), (b)(7)(C). He indicated he always made an effort to clean the sprayers after use by rinsing them out in a designated location. He said no one else used his spray equipment.

(b)(6), (b) stated he used the crop consulting services provided by (b)(6), (b)(7)(C) and he could only remember the consultants name (b) (b) and that he worked from the (b)(6), (b)(7) office. (b) (b) stated he used his own equipment to plant and harvest his wheat. He stated he did his own (b) farming and did not hire custom farmers, except for the (b)(6), (b) (b)

(b)(6), (b) stated he harvested the grain with his combine and he sold the grain to (b)(6), (b)(7)(C). He stated he transported the harvested grain to the elevator himself in his trucks. He said he would clean his combine after use with an air compressor. He said no one else used his combine.

(b)(6), (b) was not aware of the location of any wheat test plots and he did not know if Monsanto ever had a wheat trial in (b)(6), (b)(7)(C).

He said he does not store grain on his property or retain grain for re-planting, and he does not keep wheat seed samples or harvested wheat samples.

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 11, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 10, 2013 at (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he farms under the name (b)(6), (b)(7)(C) which is a (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) told me he is technically (b)(6), (b)(7)(C) and he does not know all the specifics about the farming operation. He said he mainly drives the tractor, and (b)(6), (b)(7)(C) makes the decisions and know the specifics about the farm. (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) is a crop consultant for (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) and operates their farm.

(b)(6), (b)(7)(C) said they farmed approximately (b)(6), (b)(7)(C) acres of non-irrigated land. He said they buy their seed from (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) but he did not know what varieties they planted. He said they buy the seed in bulk and transport it themselves. (b)(6), (b)(7)(C) stated they plant wheat in September or October, and harvest in July of the following year. He stated they use a (b)(6), (b)(7)(C) crop rotation using (b)(6), (b)(7)(C).

In regards to the chemicals placed on the crops he suggested I contact (b)(6), (b)(7)(C) for the specifics.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 11, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(c)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C)

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 11, 2013 at (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he farms under his name (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated his operation consists of (b)(6), (b)(7)(C) acres of owned and leased non-irrigated land. He stated one half of the farm is fallow. He said he does not lease his land to anyone else to commercially grow wheat.

(b)(6), (b)(7)(C) stated he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants.

(b)(6), (b)(7)(C) said from (b)(6), (b)(7)(C) he planted a blend of Westbred (WB) 528 and Skiles brand white winter wheat. He said he has previously planted a mixture containing Rod and WB 528 winter wheat. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets or any other crops.

(b)(6), (b)(7)(C) said he tries to do his own farming with his own equipment, but at times he does have to hire customs farmers to help him because of his (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) said he uses crop consulting services provided by (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) and he only knew their representatives name as (b)(6), (b)(7)(C)

(b)(6), (b) stated he purchases wheat seed from (b)(6), (b)(7)(C) ((b)(6), of (b)(6), (b) and that he supposed farmers produced the seed locally. He said he buys the seed in bulk form and retrieves the seed from the supplier himself. He said the only problem with that system is if he buys too much seed, he can't return it to (b)(6). He said he cleans the truck before loading them with the seed.

(b)(6), (b) stated he plants wheat in September or October, and harvests in July of the following year. He stated he plants half of the land, and leaves half fallow. He said he uses minimum tillage farming for the most part, but he prefers to prepare the land with implements. He said he plants with a conventional drill and no other growers use his grain drill. He said he vacuums out the grain drill after seeding.

(b)(6), (b) stated when the wheat is growing he sprays it with PowerFlex herbicide to control Cheat grass. He said he does not spray Maverick or Beyond to control Cheat grass. He said he adds R-11 as a surfactant or sticker. He said (b)(6), (b) said he used his own ground sprayer to spray one hundred acres, but he hired (b)(6), (b)(7)(C) to spray the remainder. He said he rinses out the sprayer before adding any additional chemicals and sometimes uses a deactivating agent in the tank. He said he buys his herbicide from (b)(6), (b)(7) and mixes the chemicals with well water.

(b)(6), (b) stated that after the harvest he mows or bales the flat ground, and on the hills, he plows the wheat stubble into the ground. He said while the land is fallow he sprays with Monsanto RT 3 glyphosate designed for summer fallow land in March or April at a rate of twenty-four ounces per acre. He said he only sprayed glyphosate once this year because it did not rain much. He said he will also cultivate, chisel, or plow the land two or three times as well before re-planting.

(b)(6), (b) stated he harvests wheat with his combine and he sells the wheat to (b)(6). He stated he transports the harvested wheat to (b)(6), (b)(7) elevators near his farm in his trucks. He said the trucks must be cleaned he delivers the wheat because the buyer does not want treated seed in the harvested wheat. He said (b)(6), (b)(7)(C) assists in harvesting the crop.

He said he does not store his harvested wheat on his property. He said he does not retain grain for re-planting, but if he does not use all of the wheat he bought he may store it in (b)(6), (b)(7)(C) barrels and plant it the next year. He said he may still have some of that wheat on hand now. He said he does not purposely keep wheat seed samples or harvested wheat samples.

(b)(6), (b)(7)(c) He said he thought it was a (b)(6), (b)(7)(C) He said a (b)(6), (b)(7) representative asked to use his land for the test and he may have received (b)(6), (b)(7) in compensation. He said he cared for the plants in the plot as part of his crop including the harvesting.

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 12, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(6), on June 12, 2013 at Mr. (b)(6), residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(6), a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(6) stated he farms under the name (b)(6), (b)(7)(C), and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(6) stated his operation consists of (b)(6) acres of owned and leased land. He stated (b)(6), (b)(6) of the farm is fallow. He said he also has (b)(6), (b)(7)(C) of wheat land near (b)(6), (b)(7)(C). Both farms are non-irrigated. (b)(6), (b)(7)(C) stated he has been farming for over (b)(6), years but has only been using (b)(6), (b)(7)(C) for (b)(6) years. He stated he does not lease his land to anyone else to grow wheat commercially. (b)(6)

(b)(6), (b)(6) stated he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants.

(b)(6), (b)(6) said this year he planted (b)(6), (b)(7)(C) acres of Westbred (WB) 553 hard red wheat. He said he planted the remainder in a blend of WB528 and Ovation soft white wheat varieties. (b)(6), (b)(6) said he formerly planted a fifty percent blend of WB528, Rod, and Skiles varieties, and the remaining fifty percent in Clearfield 102. He said he plants Clearfield 102 because he's experiencing problems with Cheat grass weed, and he can spray the Clearfield 102 with Beyond herbicide to control the Cheat grass. He said he plants one hundred bushels of seed of acre. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets or any other crops.

(b)(6), (b) said he does his own farming, owns his own equipment, and does not hire custom farmers for help. He said he has one hired hand that works on the farm.

(b)(6), (b) said he uses crop consulting services provided by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) of the (b)(6), (b)(7) office is the representative. (7)(C)

(b)(6), (b) stated he purchases wheat seed from (b)(6), (b)(7)(C) (b)(6), (b)(6), (b)(7)(C) He said he buys the seed in bulk form and transports the wheat seed to his farm. He said he raises up the dump beds and brushes out the trucks before loading them with the seed. (5)

(b)(6), (b) stated he plants wheat in September or October, and harvests in July of the following year. He stated he only plants a percentage of the land, and leaves a portion fallow. He said he uses minimum tillage farming practices. He said other growers do not use his grain drill. He said he vacuums out the grain drill after seeding.

(b)(6), (b) stated when the wheat is growing, at the two to three leaf stage, or in November he sprays it with Beyond and/or Maverick herbicides to control Cheat grass, but he is experiencing problems with resistance to the herbicides. He said he sprays Husky herbicide in March to control broadleaf weeds, and he will spray PowerFlex in March for Cheat grass. He said he adds Spreader 90 surfactant to the spray solution but does not add any water stabilizers. He stated he buys his chemicals from (b)(6), (b)(7) (b)(6), (b) uses his own ground sprayer and said he rinses out the sprayer before adding additional chemicals. (6)

(b)(6), (b) stated that after harvest he mows or bales the wheat stubble on the smaller hills. He said while the land is fallow he sprays with Monsanto RT 3 glyphosate in March or April at a rate of (b)(6), ounces per acre. He said he only sprays glyphosate once. He said he will cultivate or chisel the land as well before re-planting. He said he fertilizes in June. His employee was applying anhydrous ammonia to the fallow land when we met. (b)(7)

In regards to the farm in (b)(6), he said he sprays that land with glyphosate twice and if possible burns it in September as well. He said he uses his no-till drill to re-plant that land.

(b)(6), (b) stated he harvests wheat with his (b)(6), combines and he sells the wheat to (b)(6), He stated he transports the harvested wheat to (b)(6), (b)(7) elevators near his farm in his trucks. He said no one else uses the combines, but he does harvest some (b)(6), (b)(7) crop.

He said he does not store his harvested wheat on his property. He said he does not retain grain for re-planting, but if he does not use all of the wheat he bought he may store it in (b)(6), (b) gallon barrels and plant it the next year. He said he does not keep wheat seed samples or harvested wheat samples.



(b)(6), (b) does not have any test plots on his farm.

(b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 12, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 13, 2013 at (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C). The telephone number is (b)(6), (b)(7)(C) is located approximately (b)(6), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) said he is the (b)(6), (b)(7)(C) of the facility, and (b)(6), (b)(7)(C) is the owner. (b)(6) is a certified seed producer and dealer, and they buy and re-sell wheat varieties to farmers in the area.

In addition to managing (b)(6), (b)(7)(C) farms under the (b)(6), (b)(7)(C) His email address is (b)(6), @hotmail.com. (b)(6), (b)(7)(C) and his email address is (b)(6), @aol.com. (b)(7)

I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask them questions about their seed sales and farming operations. He willingly agreed.

I told (b)(6), (b)(7)(C) that my understanding is (b)(6) purchases wheat seed from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and re-sells the seed. I requested that he provide me with the names of the growers that bought Westbred (WB) 528, Rod, Coda Club, or any Club style wheat seed varieties from (b)(6) within the last four years, and the amounts purchased. (b)(6), (b)(7)(C) said he would need to research his files, and he would scan his seed sales records and email his findings to me.

(b)(6), (b)(7)(C) said he knew (b)(6) has not purchased and sold WB528 because the farmers do not grow that variety in the area. He said it's too cool, and they receive too much snow to grow that variety near Reardan. He said the farmers grow a large amount of spring wheat in the area, and they grow (b)(6), (b)(7)(C). He also said they have not sold Coda Club or any Club style wheat varieties. He said he thought (b)(6) sold a limited amount of Rod, but not of late. (b)(6)

(b)(6), (b)(7)(C) said the main varieties of winter wheat grown in the area are a blend of (b)(6), (b)(7)(C) soft white wheat varieties. He said (b)(6), (b)(7)(C) variety, and (b)(6), (b)(7)(C) variety.

Later the same day (b)(6), (b)(7)(C) sent me an email as promised that included two pages of seed records (attached). (b)(6), (b)(7)(C) wrote that in (b) (b) sold (b)(6), (b)(7)(C) of Rod to (b) different growers. (b)(6), (b)(7)(C) wrote that in (b) (b) sold (b)(6), (b)(7)(C) of Rod to (b) different growers.

I asked (b)(6), (b)(7)(C) to explain how (b) handles their certified seed. He said the growers produce the seed in the area, and they are required to map their fields. He said the (b)(6), (b)(7)(C) located in (b)(6), (b)(7) regulates the process, and their inspectors inspect the fields for purity before harvest. He said when (b) receives seed from a grower they must collect and send samples of the seed to the (b)(6), (b)(7)(C) who certifies the seed. He said (b) keeps the seed samples they submit for (b)(6), (b)(7) year, and after a year they sell the seed to individuals for grinding into animal feed.

I asked (b)(6), (b)(7)(C) to speak about his winter wheat his farming practices. He said he uses a (b) broadleaf herbicides while the plant is growing. He said when the fields are fallow he applies glyphosate. He said he may make three trips over the field before planting. He said (b)(6), (b)(7) is a problem to kill in fallow fields because after you spray it once it toughens and won't take up the herbicide. He said us uses Monsanto RT 3 brand glyphosate.

(b)(6), (b)(7)(C) said has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants, and he has not heard of any other farmers experiencing the problem either.

As I was leaving, (b)(6), (b)(7) arrived, and he and I discussed my seed sales request to (b)(6), (b)(7)(C)

(b)(6), (b)(7) said has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants, and he has not heard of any other farmers experiencing the problem.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 14, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

(b)(6), (b)(7)(C) - APHIS

From: (b)(6), (b)(7)(C)@hotmail.com>
Sent: Thursday, June 13, 2013 2:21 PM
To: (b)(6), (b)(7)(C) - APHIS
Subject: Rod grower list for (b)(6), (b)(7)(C)
Attachments: Scan0010.pdf; Scan0011.pdf

(b)(6),

Attached are (b)(6), (b)(7)(C) Rod sales logs.

In (b) we had sales of (b)(6), (b)(7) growers they are:
(b)(6), (b)(7)(C)

In (b) we had sales of (b)(6), (b)(7) growers

1. (b)(6), (b)(7)(C)

2.

We did not sell any more Rod after (b)

If you need anymore information please let me know.

Thanks

(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

RECEIVED THIS DOCUMENT FROM

(b)(6), (b)(7)(C)

VIA EMAIL ON 6/13/13

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

RECEIVED THIS DOCUMENT FROM

(b)(6), (b)(7)(C)

VIA EMAIL ON 6/13/13

(b)
(6),
(b)(7)
(C)

GOVERNMENT
EXHIBIT
55

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[illegible]

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

RECEIVED THIS DOCUMENT FROM
VIA E-MAIL ON 6/13/13

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

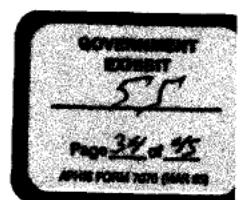
I prepared this Declaration to document my conversation with (b)(6), (b)(7) on June 13, 2013 at (b)(6), (b)(7). I explained to (b)(6), (b)(7) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed.

(b)(6), (b)(7) stated he farms under the name (b)(6), (b)(7) which is a (b)(6), (b)(7)(C) and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7) farms alongside (b)(6), (b)(7). (b)(6), (b)(7) is also a professional crop consultant employed with (b)(6), (b)(7) and he inspects crops in roughly a (b)(6), (b)(7)(C). He said he inspects the farms for the presence of insects, weed control, and plant nutrition.

(b)(6), (b)(7) stated he does apply glyphosate herbicide to his farm land, and he has not experienced problems with the glyphosate not killing volunteer wheat plants. In addition, he said he is not seeing any problems of this nature on any of the farms he inspects for (b)(6), (b)(7).

(b)(6), (b)(7) confirmed he has planted Westbred (WB) 528 variety the last few years. He said he planted Rod winter wheat two to three years ago, but not this year. He said he has not planted Coda Club or any Club style wheat. He said he does not grow soybeans, corn, or sugar beets. (b)(6), (b)(7) said he buys the wheat seed from (b)(6), (b)(7)(C) (b)(6), (b)(7) in bulk form, and he transports the seed to the farm. He said he cleans the trucks before transporting the seed from (b)(6), (b)(7) to the farm.

(b)(6), (b)(7) said he plants wheat in September or October, and harvests in July of the following year. He stated he employs a crop rotation system by planting (b)(6), (b)(6), (b)(7), and leaves a portion of the land fallow as well. He said he plants with a no-till grain drill, and chisels the land with a plow when he fertilizes.



He said when the wheat is growing he applies PowerFlex herbicide to control Cheat grass, and he applies Husky, Orion, and Starane herbicides for post-emergent control of annual broadleaf weeds in wheat. He said China lettuce is a problem to kill on his farm. He said he harvests wheat in July, and if he intends to leave the field fallow, he will mow the wheat stubble later in the fall.

He said he starts applying glyphosate to the fallow field in February or March, at a rate of (b)(6), (b) ounces per acre, and he may spray glyphosate two to three times. He said he may include Sharpen herbicide with the glyphosate on the second application as well. He said he mainly uses Monsanto RT-3 brand glyphosate but may use a different brand if RT-3 is in short supply.

He said he sprays using a ground sprayer and adds R-11 surfactant as a sticker, and a silicone surfactant or emulsifier too. He said he buys his chemicals from (b)(6), (b)(7) (b)(6), (b)(7)(C) .

(b)(6), (b) (b)(6), (b)(7)(c) (b)(6), (b)(7) He said he transports the wheat to the elevator with his equipment. He said he does not store grain on his farm and does not keep any harvested wheat for re-planting.

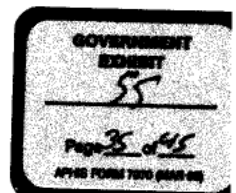
(b)(6), (b) (b)(6), (b)(7)(c) (b)(6), (b)(7)(C) He said the company representative treated the seed with an additive, and (b)(6), (b) simply planted the seed.

(b)(6), (b) said he has never planted genetically modified seed on his farm.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 14, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 17, 2013 at the (b)(6), (b)(7) residence located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the (b)(6), (b)(7) glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7) stated he farms under the name (b)(6), (b)(7)(C). (b)(6), (b)(7) said his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7) said he farms (b)(6), (b)(7)(C) acres of wheat, and normally keeps (b)(6), (b)(7) acres fallow. (b)(6), (b)(7) said he does not lease land to any other farmers.

(b)(6), (b)(7) said he has never planted Round-Up Ready wheat, and he has not experienced an instance where glyphosate applied to his fields did not kill volunteer wheat.

(b)(6), (b)(7) said he has not planted Westbred 528 (WB528), Rod, Coda Club or any Club Style wheat varieties from (b)(6), (b)(7)(C). He said he plants a combination of Stephens and Badger varieties. He stated he does not plant soybeans, corn, sugar beets, or peas.

(b)(6), (b)(7) stated he purchases wheat seed from (b)(6), (b)(7)(C). (b)(6), (b)(7)(C). He said he buys the seed in bulk and retrieves the seed using his truck.

(b)(6), (b)(7) stated he uses a minimum tillage system. He said he plants wheat in October and harvests in July of following year. He said he plants the seed with the same conventional drill each year and no one else uses the drill.

He said in April he sprays the fallow fields with glyphosate once at a rate of (b)(6), (b)(7)(C) ounces per acre. He said he uses a generic glyphosate; he thought it was Glystar brand.

(b)(6), (b)(7) said he does not mix additional herbicides with the glyphosate, and only adds Liberate surfactant to the glyphosate. He said he uses his own ground spray equipment and fills the tank with water from the city of (b)(6), (b)(7). He said he simply rinses the tank when finished. He said tills the field in June for weed control.

(b)(6), (b)(7) said he purchases his chemicals from (b)(6) and he uses their crop consultant services. He said (b)(6), (b)(7) is his contact. (6)

(b)(6), (b)(7) stated after wheat harvest he mainly bales the wheat stubble.

(b)(6), (b)(7) stated he does not hire custom farmers and uses his own equipment to harvest. He said he sells his wheat to (b)(6), (b)(7)(C) and transports his harvested wheat to the grain elevator in nearby (b)(6), (b)(7) in his own trucks. He said he makes sure the truck is clean before delivering the wheat because if it is contaminated with barley it can affect the price.

(b)(6), (b)(7) said he does store grain on his farm sometimes; he has grain bins, and he does retain grain for re-planting the next year. He said he has the means to clean the seed.

He said he does not keep wheat seed samples.

(b)(6), (b)(7) said he does not have a wheat test plot on his farm.

(b)(6), (b)(7) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields, and he could offer any reason why the problem may have occurred.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 17, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 17, 2013 at the (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he farms as a (b)(6), (b)(7)(C), and his telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) said he farms (b)(6), (b)(7)(C) acres of owned and leased non-irrigated land of which (b)(6), (b)(7)(C) acres are fallow. (b)(6), (b)(7)(C) said he does not lease wheat land to any other farmers.

(b)(6), (b)(7)(C) said he has never planted Round-Up Ready wheat, and he has not experienced an instance where glyphosate applied to his fields did not kill volunteer wheat.

(b)(6), (b)(7)(C) said from (b)(6), (b)(7)(C) he planted a blend of wheat seed varieties consisting Westbred 528 (WB528), Stephens, Badger and Trifecta. (b)(6), (b)(7)(C) stated he has not planted Rod, Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets.

(b)(6), (b)(7)(C) stated he purchases wheat seed from (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), and (b)(6), (b)(7)(C) located in (b)(6), (b)(7)(C). He said he buys the seed in bulk and retrieves the seed at (b)(6), (b)(7)(C) using his own truck.

(b)(6), (b)(7)(C) stated he uses a minimum tillage system on a portion of the soil, and a chemical fallow system on the remainder. He said he plants wheat in October and harvests in July of following year.

(b)(6), (b)(7)(C) said he uses a combination of plowing and spraying, and plants wheat with a conventional drill.

(b)(6), (b)(7) said he uses (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) as crop consultants and (b)(6), (b)(7) He said he also hires (b)(6) to plant the chemical fallow portion of his wheat seed with a no-till drill. (b)(6)

(b)(6), (b)(7) said he sprays a portion of the fallow fields with RT 3 brand Round-Up glyphosate once himself at a rate of (b)(6), (b)(7)(C) ounces per acre. He said he adds Banville herbicide to the mixture to control broadleaf weeds. He said he cultivates the fields that he sprays himself to kill weeds as well. He said he mixes the chemicals with a surfactant named Liberate.

(b)(6), (b)(7) said he hires (b)(6) to custom spray his entirely chemical-fallow fields. He said (b)(6) sprays the fallow fields twice and they use a generic glyphosate.

He said while the wheat is growing (b)(6) sprays Maverick and Powerflex herbicides to control Cheat grass weeds, as well as a fungicide. (b)(6)

(b)(6), (b)(7) said he buys the chemicals from (b)(6) and applies them with ground spraying equipment leased from (b)(6). He said he mixes the chemicals with water obtained in (b)(6), (b)(7). He said if he has extra herbicide, he drains it out of the tank, or keeps it and uses it in the spot sprayer attached to his four wheeler. He stated he buys the chemicals from (b)(6) and he uses their crop consultant services. (b)(6)

(b)(6), (b)(7) stated he harvests his wheat with a combine he shares with (b)(6), (b)(7). He said transports his harvested wheat to the (b)(6) grain elevator in nearby (b)(6), (b)(7). (b)(6), (b)(7) stated after the wheat harvest he mainly bales the wheat stubble but he also disks some stubble into the soil. (b)(6)

(b)(6), (b)(7) said he does not store grain on his farm, and does not purposely retain grain for re-planting. He said he does not keep wheat seed samples or harvested wheat samples himself, but (b)(6) takes a sample of the harvested seed for grading purposes. (b)(6)

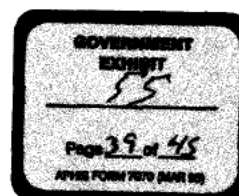
(b)(6), (b)(7) said he did does not have any wheat test plots on his farm.

(b)(6), (b)(7) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 17, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 15, 2013 at the (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask questions about their farming operation. They willingly agreed. I gave the (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated they farm under (b)(6), (b)(7)(C) and their telephone number is (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) said they farm (b)(6), (b)(7)(C) acres of owned non-irrigated land, but they lease (b)(6), (b)(7)(C) acres. (b)(6), (b)(7)(C) said they do not lease land to any other farmers.

(b)(6), (b)(7)(C) said he has never planted Round-Up Ready wheat, and he has not experienced an instance where glyphosate applied to his fields did not kill volunteer wheat.

(b)(6), (b)(7)(C) said he planted a (b)(6), (b)(7)(C) blend of Westbred 528 (WB528) and (b)(6), (b)(7)(C) wheat varieties in (b)(6), (b)(7)(C). From (b)(6), (b)(7)(C) he planted blends containing (b)(6), (b)(7)(C) WB528 and (b)(6), (b)(7)(C) varieties. (b)(6), (b)(7)(C) stated he has not planted Rod variety wheat, but he did plant some Clearfield 102 on two fields where he had problems with Cheat grass weed. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets, but he does grow (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated he purchases wheat seed from (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) He said he buys the seed in bulk and retrieves the seed at (b)(6), (b)(7)(C) using his own truck.

(b)(6), (b)(7)(C) stated they use a minimum tillage system. They normally plant wheat in October and harvest in July of following year. (b)(6), (b)(7)(C) said he uses a crop rotation system that includes (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) said he tills the land with a double disk plow and a spring tooth harrow, and plants wheat with a conventional drill.

He said the rotation system requires harvesting wheat in July, and leaving the field fallow until spring when he will plant (b) in April. He said he harvests the (b) in July, and replants wheat in October. He said he will leave (b) the field fallow after the wheat harvest (b) in July.

(b)(6), (b)(7)(C) showed me a computer print-out indicating they spray a variety of chemicals on the fields for weed and grass control including RT 3 brand glyphosate, Orion, Huskie, PowerFlex, and Osprey. They use Quilt as a fungicide, and M-90 and AMS surfactants.

(b)(6), (b)(7)(C) said he only needs to make one application of glyphosate at a rate of eighteen ounces per acre on the fallow wheat fields. (b)(6), (b)(7)(C) stated after the wheat harvest he mainly bales the wheat stubble but he also disks some stubble into the soil.

(b)(6), (b)(7)(C) said he applies the chemicals with his own ground spraying equipment and mixes the chemicals with well water. He said he rinses the tank with water after use. He stated he buys the chemicals from the (b)(6), (b) distributor in (b)(6), (b)(7) and also uses their crop consultant services.

(b)(6), (b)(7)(C) stated he does not hire custom farmers and uses his own equipment to harvest. He said transports his harvested wheat to the (b) (b)(6), (b)(7) in nearby (b)(6), (b)(7)

(b)(6), (b)(7)(C) said he does not store grain on his farm, and does not purposely retain grain for re-planting, but if he has extra seed left in the grain drill after planting he may retain that seed for planting the next year.

He said he does not keep wheat seed samples or harvested wheat samples himself, but (b) takes a sample of every load of harvested seed for grading purposes which determines the price he receives for his wheat.

(b)(6), (b)(7)(C) said he did have a wheat test plot on his farm (b)(6), (b)(7)(C) years ago. He said the (b)(6), (b) representative at (b)(6), (b)(7) ran the plot, and he thought it was a variety test plot. He said he thought the plot contained Clearfield and Westbred varieties. He said the (b)(6), (b) personnel harvested the plot with a special test plot combine. He said the (b)(6), (b) personnel simply poured the wheat harvested from the test plot into his harvested wheat, and he took it to the elevator along with his wheat. He said (b)(6), (b)(7)(C) is the representative in charge at (b)(6), (b) now.

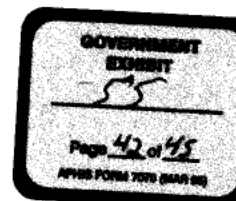
(b)(6), (b)(7)(C) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields, and he could not offer any reason why the problem may have occurred.



I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 17, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 18, 2013 at (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) telephone number is (b)(6), (b)(7)(C). IES Investigator (b)(6), (b)(7)(C) witnessed the conversation. I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask questions about his farming operation. I gave (b)(6), (b)(7)(C) a copy of my business card and a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

When we arrived at the farm, it was obvious (b)(6), (b)(7)(C) was working because he got out of a large grain truck he was driving, and he was covered with dirt. When I asked (b)(6), (b)(7)(C) if he could spare a few minutes to answer my questions about his farming practices, he said he was too busy.

In our brief conversation (b)(6), (b)(7)(C) said he has not planted any Round-Up ready wheat, and he has not experienced instances where glyphosate applied to his fields did not kill volunteer wheat. (b)(6), (b)(7)(C) said he farms near his home and at (b)(6), (b)(7)(C) and he is not having the problem at either farm. (b)(6), (b)(7)(C) said he has not heard that any of his neighbors were experiencing the problem and he thought discovery of glyphosate resistant wheat was an isolated event.

I told (b)(6), (b)(7)(C) that if he had anything to add to please call the phone number on my business card.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 19, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on June 18, 2013 at (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) telephone number is (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask questions about his farming operation. He agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) said he farms (b)(6), (b)(7)(C) acres of non-irrigated land that he owns. (b)(6), (b)(7)(C) said he employs a (b)(6), (b)(7)(C) year rotation using (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) said he does not lease wheat land to any other farmers.

(b)(6), (b)(7)(C) said he has never planted Round-Up Ready wheat, and he has not experienced an instance where glyphosate applied to his fields did not kill volunteer wheat.

I asked (b)(6), (b)(7)(C) if he planted Westbred 528 (WB528) within the last four years and he said he was not sure but he may have planted some. (b)(6), (b)(7)(C) said he knows he planted Skiles and Madsen wheat varieties in (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he did not plant Rod, Coda Club or any Club style wheat from (b)(6), (b)(7)(C). He stated he does not plant soybeans, corn, or sugar beets.

(b)(6), (b)(7)(C) stated he purchases wheat seed from (b)(6), (b)(7)(C) located in (b)(6), (b)(7)(C). He said he buys the seed in bulk and retrieves the seed using his own truck.

(b)(6), (b)(7)(C) stated he uses a minimum tillage system on the (b)(6), (b)(7)(C) with (b)(6), (b)(7)(C) acres in chemical fallow. He said he plants wheat in October and harvests in July of following year. Then he plows the land and plants spring wheat or barley that is harvested in July. After the harvest he leaves the field fallow until the next fall.



He said he sprays the fallow field twice with glyphosate at a rate of (b)(6), (b)(7)(C) ounces per acre and it kills everything entirely except (b)(6), (b)(7)(C). He said he uses Touchdown brand glyphosate because the Monsanto glyphosate is in short supply. He said he may mix a broadleaf weed killer or a Banville product with the glyphosate. (b)(6), (b)(7)(C) said he adds a surfactant named Class Act in the spray to make it stick to the plant. He said he also plows or disks the land before replanting. He said he uses a water source in the town of (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) said he uses his own farm equipment but he does lease the ground spray equipment he uses from (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) said he buys chemicals from (b)(6), (b)(7)(C) and uses their crop consultant services as well.

(b)(6), (b)(7)(C) stated he harvests his wheat with his own combines. He said he transports the harvested wheat to the (b)(6), (b)(7)(C) elevator at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated after the wheat harvest he works or plows the wheat stubble into the soil.

(b)(6), (b)(7)(C) said he has not stored harvested grain on his farm since (b)(6), (b)(7)(C) and he does not purposely retain grain for re-planting. He said he does not keep wheat seed samples or harvested wheat samples.

(b)(6), (b)(7)(C) said he did does not have any wheat test plots on his farm, but he is aware of a round-up ready canola test conducted by (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated he is not aware of any farmers having problems with glyphosate resistant volunteer wheat in their fields.

I declare under penalty of perjury that the foregoing statement is true and correct. Executed by me on June 19, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

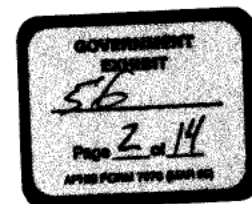
I declare that my name is (b)(6), (b)(7)(C). I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg. B-(b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C). I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C)@aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 18, 2013, IES Investigator (b)(6), (b)(7) and I contacted (b)(6), (b)(6), (b)(7) at his residence/farm, located at (b)(6), (b)(7)(C). Telephone: (b)(6), (b)(7). Upon our arrival, we introduced ourselves to (b)(6), (b) as investigators employed by the U.S. Department of Agriculture. I informed (b)(6), (b) that USDA is currently conducting an investigating pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b) indicated he heard about the detection. I further explained to him that USDA investigators are interviewing growers in the area about their wheat crops and farming procedures in order to try and determine if the detection of GE wheat in Oregon is an isolated event or might be more wide spread, and (b)(6), (b) I agreed to be interviewed.

1. I asked him if he had observed any glyphosate resistant wheat growing in his fallow fields after spraying: (b)(6), (b) said no. I asked him if he was aware of any neighboring farmers who have noticed wheat growing in their fallow fields after spraying with herbicides containing glyphosate as the active ingredient: (b)(6), (b) said no.
2. I asked him how many acres he farmed: (b)(6), (b) said he leases and farms approximately (b)(6) acres of wheat annually.



3. I asked him if he had planted West-bred (WB528) winter wheat in the past (b)(6) years: (b)(6) said yes "Soft white." (b)(6), (b) claimed he had not planted Rod, Coda Club or Club style winter wheat in the last (b)(6) years. I asked him what varieties of wheat he had planted in the past (b)(6) years: (b)(6), (b) said he had planted Tubs 528 mix and Soft white. I also asked him where he purchases his wheat seed: (b)(6), (b) said at the "(b)(6), (b)(7)(C) (b)(6)." Then I asked him how he purchases the seed, and (b)(6), (b) said by the bulk. I asked him if he plants any wheat to produce seed: (b)(6), (b) said no. I also asked him if he stored any grain on his farm. (b)(6), (b) said yes, that he stores (b)(6), (b)(7)(C) in a good year. I also asked him where he sold his grain. (b)(6), (b) said he sells it (b)(6)
4. I asked him if he plants other crops: (b)(6), (b) said he plants "(b)(6), (b)(7)(c)." I asked him if he planted and/or knew anyone who had planted Roundup ready/glyphosate resistant wheat, and (b)(6), (b) said no. I asked him if he ever grew any "GMO" crops on his farm, such as soybeans, corn, sugar beets, and canola, (b)(6), (b) said no. I asked him if he used a field consultant, and (b)(6), (b) said yes, he hired (b)(6), (b)(7)(C) through (b)(6), (b)(7)(C) I also asked him if he hires any custom farming services, or rented any equipment, and he said no.
5. I asked him to explain his crop/fallow and/or his crop rotation practices beginning with the planting: (b)(6), (b) claimed he used conventional methods, like tillage, to work his land, and he explained he applied Round-up to control weeds in the spring; however, it is done in combination with conventional farming methods. I then asked him what chemicals/brands he applied for weed control in his wheat crop. (b)(6), (b) said he uses "Husky R-11, Insert-lock, and Headline."
6. I asked him when you spray herbicides containing glyphosate as the active ingredient: (b)(6) said in late spring. I asked him what brand of glyphosate do you apply, and at what rate per acre: (b)(6), (b) said he uses "Cornerstone, Roundup RT-3= varied 24-32.



7. I also asked him what type of water you used to mix your herbicides, well water, or city water: (b)(6), (b) said he uses city water. In regard to test plots, (b)(6), (b) claimed he had never participated in a wheat field trial. He stated he had never planted any Round-up ready wheat. He claimed he did not know of any growers that have. He also stated he had no knowledge of Monsanto wheat field trials in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 18, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investi

(b)(6), (b)(7)(C)

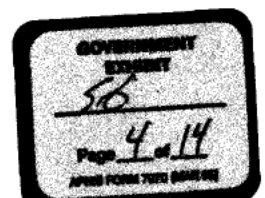
USDA, APHIS, IES



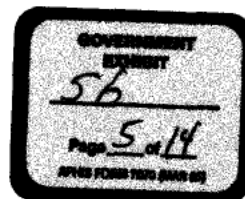
DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C). I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C) @aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 18, 2013, IES Investigator (b)(6), (b)(7) and I contacted (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C). Upon our arrival, we knocked several times with negative results. Later, that day we returned and found no one home. On June 19, 2013, I went back to the above mention address and after several attempts to contact the (b)(6), (b)(7) with negative results; I called and left a message on their answering machine. On June 20, 2013, I received a call from (b)(6), (b) who informed me he did not get home until after 8:00/pm. Due to time constraints, he asked if a telephone interview was okay. During the telephone interview, he confirmed his home address and provided his contact telephone: (b)(6), (b)(7)(C). I identified myself to (b)(6), as investigators employed by the U.S. Department of Agriculture. I informed (b)(6), that USDA is currently conducting an investigating pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), said that he heard about the detection. I further explained to him that USDA investigators were interviewing growers in the area about their wheat crops and farming procedures in order to try to determine if the detection of GE wheat in Oregon is an isolated event or might be wider spread. (b)(6), said he is a crop farmer and owner of (b)(6), (b)(7)(C).



1. I asked him if he had observed any glyphosate resistant wheat growing in his fallow fields after spraying: (b)(6), said no. I asked him if he was aware of any neighboring farmers who have noticed wheat growing in their fallow fields after spraying with herbicides containing glyphosate as the active ingredient: (b)(6), said no. I asked him how many acres he farmed: (b)(6), said he owns and farms approximately (b)(6), (b)(7)(C) acres of spring wheat, and (b) acres of winter white annually.
2. I asked him if he had planted West-bred (WB528) winter wheat, Rod's winter wheat in the past (b)(6) years: (b)(6), said yes. (b)(6), claimed he had not planted Coda Club nor Club style winter wheat in the last (b)(6) years. I asked him what varieties of wheat he had planted in the past (b)(6) years: (b)(6), said he had planted Surfer Tubs 06 mix, mad seed, and Stephens's 102/wheat. I also asked him where he purchases his wheat seed: (b)(6), said at (b)(6), (b) and at (b)(6), (b)(7)(C) (b)(6),. Then I asked him how he purchases the seed, and (b)(6), said by the bulk. I asked him if he plants any wheat to produce seed: (b)(6), said no. I also asked him if he stored any grain on his farm. (b)(6), said no. I also (b)(6), asked him where he sold his grain, and (b)(6), said he sells it to (b)(6).
3. I asked him if he plants other crops: (b)(6), said he plants "(b)(6), (b)(7)(C)." I asked him if he planted and/or knew anyone who had planted Roundup ready/glyphosate resistant wheat, and (b)(6), said no. I asked him if he ever grew any "GMO" crops on his farm, such as soybeans, corn, sugar beets, and canola, (b)(6), said no. I asked him if he used a field consultant, and (b)(6), said yes, he hired (b)(6), (b)(7)(C). I also asked him if he hires any custom farming services, or rented any equipment, and he said no.
4. I asked him to explain his crop/fallow and/or his crop rotation practices beginning with the planting: (b)(6), claimed he used conventional methods, like tillage, to work his land, and he explained he applied Round-up to control weeds in the spring; however, it is done in combination with farming methods. I then asked him what chemicals/brands he applied for weed control in his wheat crop. (b)(6), said he uses "Ally Extra, Husky, Bios, and welds."



5. I asked him when you spray herbicides containing glyphosate as the active ingredient: (b)(6) said on summer fallow, to get rid of cheap grass, goat grass and on volunteer grass. He did not remember the brand name, but has used Genetic R-11. I asked him what brand of glyphosate you applied, and at what rate per acre: (b)(6), said he uses "Anion Stephens blend, Roundup, depends (b)(6) ounces per (b)(6).
6. I also asked him what type of water you used to mix your herbicides, well water, or city water: (b)(6), said he uses city water. Concerning test plots, (b)(6), claimed he had never participated in a wheat field trial. He stated he had never planted any Round-up ready wheat. He claimed he did not know of any growers that have. He also stated he had no knowledge of Monsanto wheat field trials in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 20, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

(b)(6),
(b)(7)
(C)

(b)(6),
(b)(7)
(C)

DA, APHIS, IES

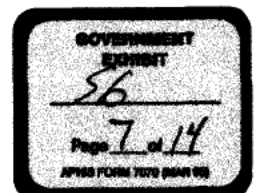


DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C). I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C) @aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 18, 2013, IES Investigator (b)(6), (b)(7) and I contacted (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) Telephones: (b)(6), (b)(7)(C). Upon our arrival, we knocked several times with negative results. Later, that day we returned and found (b)(6), (b)(7) at home. We identified ourselves as investigators employed by the U.S. Department of Agriculture. I informed (b)(6), (b)(7) that USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b)(7) said that he heard about the detection. I further explained to him that USDA investigators were interviewing growers in the area about their wheat crops and farming procedures in order to try to determine if the detection of GE wheat in Oregon is an isolated event or might be wider spread.

1. I asked him if he had observed any glyphosate resistant wheat growing in his fallow fields after spraying: (b)(6), (b)(7) said no. I asked him if he was aware of any neighboring farmers who have noticed wheat growing in their fallow fields after spraying with herbicides containing glyphosate as the active ingredient: (b)(6), (b)(7) said no. I asked him how many acres he farmed: (b)(6), (b)(7) said he owns (b)(6) /acres, and leases (b)(6) /acres a total of (b)(6) /acres (b)(6) /acres of winter white annually.



2. I asked him if he had planted West-bred (WB528) winter wheat, Rod's winter wheat in the past (b)(6) years: (b)(6), (b)(7) said yes. (b)(6), (b)(7) said he had not planted Rod, Coda Club nor Club style winter wheat in the last (b)(6) years. I asked him what varieties of wheat he had planted in the past (b)(6) years: (b)(6), (b)(7) said he had planted Wed-Bred 102. I also asked him where he purchases his wheat seed: (b)(6), (b)(7) said at (b)(6), (b)(7)(C) (b)(6)(C). Then I asked him how he purchases the seed, and (b)(6), (b)(7) said by the bulk. I asked him if he plants any wheat to produce seed: (b)(6), (b)(7) said no. I also asked him if he stored any grain on his farm. (b)(6), (b)(7) said yes, he generally stores to sell later for conventional resale. I also asked him where he sold his grain, and (b)(6), (b)(7) said he sells it to (b)(6)(C).
3. I asked him if he plants other crops: (b)(6), (b)(7) said he plants (b)(6), (b)(7)(C). I asked him if he planted and/or knew anyone who had planted Roundup ready/glyphosate resistant wheat, and (b)(6), (b)(7) said no. I asked him if he ever grew any "GMO" crops on his farm, such as soybeans, corn, sugar beets, and canola, (b)(6), (b)(7) said yes. He plants (b)(6), (b)(7)(C). I asked him if he used a field consultant, and (b)(6), (b)(7) said yes, he hired No-till seeding from (b)(6)(C). I also asked him if he hires any custom farming services, or rented any equipment, and he said no.
4. I asked him to explain his crop/fallow and/or his crop rotation practices beginning with the planting: (b)(6), (b)(7) claimed he used conventional methods, like tillage, hay cultivation with fertilizer to work his land, and he explained he applied Round-up to control weeds in the spring. I then asked him what chemicals/brands he applied for weed control in his wheat crop. (b)(6), (b)(7) said he uses "Axial Star."
5. I asked him when you spray herbicides containing glyphosate as the active ingredient: (b)(6), (b)(7) said on summer fallow, to get rid of cheap grass, goat grass and on volunteer grass. He uses Cham about (b)(6) times a year, RT3, (b)(6) per acre. I asked him what brand of glyphosate you applied, and at what rate per acre: (b)(6), (b)(7) said he uses "Roundup depends (b)(6) ounces per (b)(6) acre."



6. I also asked him what type of water you used to mix your herbicides, well water, or city water: (b)(6), (b)(7) said he uses city water. Concerning test plots, (b)(6), (b)(7) claimed he had never participated in a wheat field trial. He stated he had never planted any Round-up ready wheat. He claimed he did not know of any growers that have. He also stated he had no knowledge of Monsanto wheat field trials in the area.

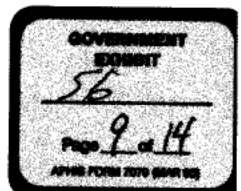
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 20, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator (b)(6), (b)(7)(C) USDA, APHIS, IES



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C) My office address is 2150 Centre Avenue, Bldg. B-(b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C) I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C) @aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 21, 2013, I contacted (b)(6), (b)(7)(C), at his residence located at (b)(6), (b)(7)(C) Telephones: (b)(6), (b)(7)(C) Upon arrival, I met with (b)(6), (b)(7) and I identified myself as an investigator employed by the U.S. Department of Agriculture and showed him my credentials. He asked to see it and reach and took it, and said that it looked real; I told him that it was. I informed (b)(6), (b)(7) that USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b)(7) said that he heard about the detection. I explained to him that we were interviewing growers in the area about their wheat crops and farming procedures in order to try to determine if the detection of GE wheat in Oregon is an isolated event or might be wider spread.

1. As I look at my questionnaire, and I asked him if he had observed any glyphosate resistant wheat growing in his fallow fields after spraying. (b)(6), (b)(7) said what you have there and took the questionnaire from me. He looked through it and told me that he did not answer questions. He signs his name on the form and gave it back, I said, thank you and left.

Executed on June 21, 2013.

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Investigator (b)(6), (b)(7)(C), USDA, APHIS, IES



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C) My office address is 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C) I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C) @aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

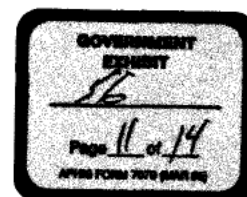
On June 27, 2013, I contacted (b)(6), (b)(7) (b)(6), (b)(7)(C) at his residence located at (b)(6), (b)(7)(C) Telephone (b)(6), (b)(7)(C) and Cell: (b)(6), (b)(7)(C). Upon arrival, I met with (b)(6), (b)(7) and I identified myself as an investigator employed by the U.S. Department of Agriculture and showed him my credentials and gave him one of my business card. He invited me in and we sat in his office and since IES (b)(6), (b)(7) had already visited with him twice before, I did not go through our introduction again. I explained to him that according to our records he had participated in the Monsanto test plots in (b)(6), (b)(7) (b)(6), (b)(7)(C). He laughs and said he could not remember, and did not have any records to provide. That I would have to get a hold of (b)(6), (b)(7) who was the researcher at the time and worked for (b)(6), (b)(7)(C). He said that he had nothing to do with the test trials that everything was handled by (b)(6), (b)(7). End of the interview.

Executed on June 27, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator (b)(6), (b)(7) USDA, APHIS, IES



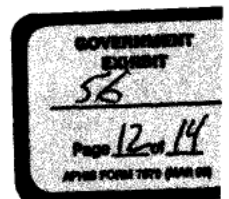
DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am I am fully competent to make this declaration. I know each of the facts set forth herein based on personal first-hand knowledge. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES).

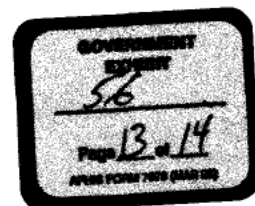
I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, telephone: (b)(6), (b)(7)(C). I can be reached by cell: (b)(6), (b)(7)(C) or email: (b)(6), (b)(7)(C)@aphis.usda.gov. As an investigator, I am responsible for conducting investigations-related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 27, 2013, I contacted (b)(6), (b)(7)(C), on the telephone (b)(6), (b)(7)(C) and due to time constraints in his part, he agreed to be interviewed over the telephone. I identified myself as investigator employed by the U.S. Department of Agriculture. That USDA investigators were interviewing growers in the area about their wheat crops and farming procedures in order to determine if the detection of GE wheat in Oregon is an isolated event or might be wider spread. I informed him that USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b)(7)(C) said that he heard about the detection. (b)(6), (b)(7)(C) confirmed that he owns the property located at (b)(6), (b)(7)(C).

1. I asked him if he had observed any glyphosate resistant wheat growing in his fallow fields after spraying: (b)(6), (b)(7)(C) said no. I asked him if he was aware of any neighboring farmers who have noticed wheat growing in their fallow fields after spraying with herbicides containing glyphosate as the active ingredient: He said no. I asked him how many acres he farmed: (b)(6), (b)(7)(C) said he owns (b)(6) /acres of winter white annually.



2. I asked him if he had planted West-bred (WB528) winter wheat, Rod's winter wheat in the past (b)(6) years: (b)(6), (b)(7)(C) said yes. He had not planted Rod, Coda Club, or Club style winter wheat in the last (b)(6) years. I asked him what varieties of wheat he had planted in the past (b)(6) years: (b)(6), (b)(7)(C) said he had planted Wed-Bred 101, 102, 103 and 528. I also asked him where he purchases his wheat seed: (b)(6), (b)(7)(C) said at (b)(6), (b)(7)(C) (b)(6). Then I asked him how he purchases the seed, and said by the bulk. I asked him if he plants any wheat to produce seed: He said no. I also asked him if he stored any grain on his farm. (b)(6), (b)(7)(C) said yes, he generally stores (b)(6), (b)(7)(C) to sell later for conventional resale. I also asked him where he sold his grain, and he sells it to (b)(6).
3. I asked him if he plants other crops: (b)(6), (b)(7)(C) said he plants (b)(6), (b)(7)(C). I asked him if he planted and/or knew anyone who had planted Roundup ready/glyphosate resistant wheat, and he said no. I asked him if he ever grew any "GMO" crops on his farm, such as soybeans, corn, sugar beets, and canola, (b)(6), (b)(7)(C) said no. I asked him if he used a field consultant, and (b)(6), (b)(7)(C) said yes, he hired (b)(6). I also asked him if he hires any custom farming services, or rented any equipment, and he said yes, a fertilizer sprayer.
4. I asked him to explain his crop/fallow and/or his crop rotation practices beginning with the planting: (b)(6), (b)(7)(C) said he used conventional methods, like tillage, hay cultivation with fertilizer to work his land, and he applied Round-up to control weeds in the spring. I then asked him what chemicals/brands he applied for weed control in his wheat crop. (b)(6), (b)(7)(C) said he uses "Craft-15, Beyond, White Mast and Husky."
5. I asked him when you spray herbicides containing glyphosate as the active ingredient: (b)(6), (b)(7)(C) said on summer fallow, to get rid of cheap grass and on volunteer grass. He uses (b)(6) about (b)(6) times a year, about a (b)(6) to (b)(6) per acre. I asked him what brand of glyphosate you applied, and at what rate per acre: (b)(6), (b)(7)(C) said he uses "Roundup rate from (b)(6) ounces per acre.



6. I also asked him what type of water you used to mix your herbicides, well water, or city water: (b)(6), (b)(7)(C) said he uses city water. Concerning test plots, (b)(6), (b)(7)(C) said he had never participated in a wheat field trial. He stated he had never planted any Round-up ready wheat. He claimed he did not know of any growers that have. He also stated he had no knowledge of Monsanto wheat field trials in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 27, 2013.

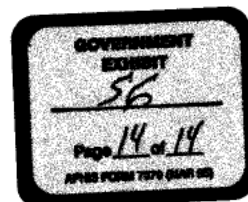
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

(b)(6),
(b)(7)
(C)

USDA, APHIS, IES



I declare that my name is (b)(6), (b)(7) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position since (b)(6), (b)(7). My office address is 2150 Centre Avenue, Bldg. B-(b)(6), (b)(7)(c) Fort Collins, Colorado 80526, and office phone number is (b)(6), (b)(7)(C). I can also be reached by cell at (b)(6), (b)(7) and/or by email at (b)(6), (b)(7) @aphis.usda.gov.

As an investigator, I am responsible for conducting investigations related to APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 20, 2013, I made contact with (b)(6), (b)(7)(C). His contact phone number is (b)(6), (b)(7). I identified who I was and the purpose of my visit. I advised (b)(6), (b)(7) that the USDA, APHIS, was investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him question about his farming operation. I provided him with a copy of the USDA Statement release number 0127.13.

(b)(6), (b)(7) explained that he has been a wheat farmer since (b)(6). He is not incorporated in the state of (b)(6), (b)(7). He did not observe any glyphosate resistant wheat growing in his fallow fields after any spraying. He was not aware of any of the neighbors having any issues. He farms (b)(6) acres and owns all of the land. On average he plants (b)(6) acres of wheat, (b)(6), acres of (b)(6), and about (b)(6) acres are fallow.

(b)(6), (b)(7) confirmed in (b)(6) he did plant Westbred (WB528) and Skiles winter wheat. Through (b)(6), (b)(7) he planted WSU Xerpha. In (b)(6), (b)(7) he planted Rod winter wheat. In (b)(6), (b)(7) he planted Club winter wheat. He did state that he raises more spring wheat than winter wheat. He purchases his wheat seed from the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). All of the seed purchases are in bulk. (b)(6), (b)(7) said he does not produce any wheat to seed. He does store wheat grain on his farm. He does sell his wheat grain to the (b)(6), (b)(7) in (b)(6), (b)(7). (b)(6), (b)(7) stated he raises (b)(6), as a rotating crop.

(b)(6), (b)(7) has not planted Roundup Ready/glyphosate resistant wheat. He is not aware of anyone else that has. He does not raise any other crops. The local (b)(6), (b)(7)(C) has an agronomist that comes out to his farm. He has hired the local (b)(6), (b)(7) (b)(6), (b)(7) to come and spray his fields. They also did some seeding in (b)(6). He did not recall renting any vehicles except one truck for two days.

His crop planting started back in (b)(6) would have been with (b)(6), (b)(7)(C). At some point the field(s) would be fallow then planted with spring wheat. This would have been a general farming practice for the past 5 years.



(b)(6), (b) stated the chemicals he would have used were 2013 Bison Advanced on winter wheat, Tamacom/Puma for a wild oat killer. For no till he used Pure Max for wild oats and grass. (b)(6), (b) Class Act mixed sprayed on by his own tractor using the coop sprayer. (b)(6), (b) stated he has used airplane application in the past for a rust issue.

(b)(6), (b) stated that in the fall of (b)(6), (b) acres was fertilized by the (b) The water used in this application was from town.

(b)(6), (b) explained that he does spray his fields as needed with Roundup. He uses (b)(6), (b) per acre and uses water from his well at the farm. He has had some spraying done by the local (b) using Class Act and that treatment would have been mixed with water from town.

(b)(6), (b) is not aware of any test plots in his vicinity or in the (b)(6), (b) area that are controlled by Monsanto or anyone else. He did have test plots (b) years ago.

I declare under penalty of perjury that the foregoing is true and correct. This declaration, consisting of two pages, was executed on June 21, 2013. (b)(6), (b)(7)(C)

(b)(6), (b) USDA APHIS IES

I declare that my name is (b)(6), (b)(7) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position since 1995. My office address is 2150 Centre Avenue, Bldg. B (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, and office phone number is (b)(6), (b)(7). I can also be reached by cell at (b)(6), (b)(7) and/or by email at (b)(6), (b)(7) @aphis.usda.gov.

As an investigator, I am responsible for conducting investigations related to APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.

On June 24, 2013, I made contact with (b)(6), (b)(7)(C) His contact phone number is (b)(6), (b)(7). I identified who I was and the purpose of my visit. I advised (b)(6), (b)(7) that the USDA, APHIS, was investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him question about his farming operation. I provided him with a copy of the USDA Statement release number 0127.13.

(b)(6), (b)(7) explained that he has (b)(6), (b)(7)(C). He is not (b)(6), (b)(7)(C) (b)(6), (b)(7) He did not observe any glyphosate resistant wheat growing in his fallow fields after any spraying. He was not aware of any of the neighbors having any issues. He farms (b)(6), (b)(7)(C) acres that is pastured and owns all of the land. None of his farmed land has been fallowed.

(b)(6), (b)(7) confirmed in (b)(6), (b)(7), he did plant Westbred (WB528) wheat. He has not planted Ron winter wheat, Coda Club or any Club style wheat for the past (b)(6), (b)(7) years. (b)(6), (b)(7) stated that he has planted Clearfield, Madison mix wheat in the past four years.

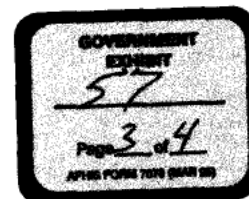
He purchases his wheat seed from the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

All of the seed purchases are in bulk.

(b)(6), (b)(7) said he does not produce any wheat to seed. He does not store wheat grain on his farm. For the past (b)(6), (b)(7) years he has sold his wheat grain to the (b)(6), (b)(7) in (b)(6), (b)(7)(C) (b)(6), (b)(7) stated other crops he raises is (b)(6), (b)(7)(C)

(b)(6), (b)(7) has not planted Roundup Ready/glyphosate resistant wheat. He is not aware of anyone else that has in the area that has. He did confirm that he has raised (b)(6), (b)(7)(C)

(b)(6), (b)(7) confirmed he did have a field consultant from the (b)(6), (b)(7)(C) come out. This was not an annual visit as they had changed personnel at the office.



(b)(6), (b) confirmed that he did hire the local combine service from (b)(6), to harvest his wheat. This was common practice in his farming operation. The only other equipment he used was the local sprayer from the (b)(6), (b)(7)(C).

(b)(6), (b) plants (b) and has it growing for (b) years. He then rotates the fields to wheat. The wheat fields are then farmed for (b) years.

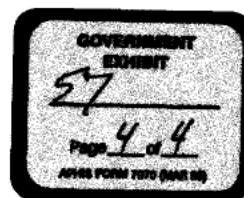
(b)(6), (b) stated the chemicals he would have used were in (b) Beyond and Huskie. For the use of surfactants and/or adjuvants (b)(6), (b) stated that he uses Bayer and Windfield on a yearly basis. He uses N-Pak AMS liquid as a water soluble fertilizer. (b)(6), (b) stated that he uses Round-up as an herbicide and when he needs to spray, at the rate of (b) to the acre. The water he uses to mix the herbicide is spring water.

(b)(6), (b) is not aware of any test plots in his vicinity or in the (b)(6), (b) area that are controlled by Monsanto or anyone else. He did not have any test plots.

I declare under penalty of perjury that the foregoing is true and correct. This declaration, consisting of two pages, was executed on June 24, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b) USDA APHIS IES



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/20/2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7) stated he farms under the name (b)(6), (b)(7) and that he is not incorporated or in a legal partnership and that (b)(6), (b)(7)(C) farm the acres they own, which consists of about (b)(6) acres of owned land. He said he plants (b)(6) acres of wheat a year, and leaves (b)(6) acres fallow. (b)(6), (b)(7) stated he used to own more land, but as he is now in his mid (b)(6), (b)(7) he does not lease land to anyone else to grow wheat commercially.

(b)(6), (b)(7) said he has never planted Round-Up Ready wheat. He stated he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants.

(b)(6), (b)(7) confirmed he planted about (b)(6) acres of Westbred 528 (WB528) variety in (b)(6) but none in the previous (b)(6) years. (b)(6), (b)(7) stated he thought he planted Rod/Stephens mix variety in (b)(6) but cannot recall the previous (b)(6) years. He stated he did not plant Coda Club or any Club style wheat from (b)(6), (b)(7)(C) that he could recall. (b)(6), (b)(7) stated the majority of his wheat is Clearfield, and he stated he does not plant soybeans, corn, or sugar beets or any other crops.

(b)(6), (b)(7) said he does some of his own farming, but that (b)(6), (b)(7)(C) (b)(6), (b)(7) and a (b)(6), (b)(7) have been helping him in the last few years. (b)(6), (b)(7) stated that he purchases his seeds from (b)(6) who also plant it for him. Different (b)(6), (b)(7) including (b)(6), (b)(7) assist (b)(6), (b)(7) with the harvest, and he, (b)(6), (b)(7) sells his wheat to (b)(6). (b)(6), (b)(7) stated he does not store any grain, and he does not grow wheat to produce seeds.



(b)(6), (b)(7) stated he does not grow any other crops, and he does not have a test plot, although he thinks a neighbor, (b)(6), (b)(7) who works with the (b)(6), (b)(7), might have a wheat test plot on his farm, but (b)(6), (b)(7) stated he really was not sure of any of the details regarding the test plot. (b)(6), (b)(7) stated if there was a test plot, it was likely in the (b)(6), (b)(7) area, but he did not have (b)(6), (b)(7) phone number.

(b)(6), (b)(7) stated he plants wheat in September or October, and harvests in July of the following year. He stated he plants half of the land and leaves half fallow. He described the process as summer-fallow. He said the land was chemically fallowed.

(b)(6), (b)(7) stated when the wheat is growing (b)(6), (b)(7) sprays it with Beyond or Bronate, he was not sure which. (b)(6), (b)(7) stated that (b)(6), (b)(7) sprays herbicides containing glyphosate, Roundup RT3, in the spring, but he was unsure of the rate; (b)(6), (b)(7) stated that (b)(6), (b)(7) provides a farm consultant and they help to determine the rates necessary. (b)(6), (b)(7) stated he thought that (b)(6), (b)(7) used city water, and (b)(6), (b)(7) has them add aqua-ammonia to the water, but he was unsure of anything else.

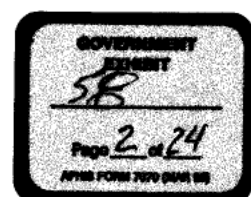
(b)(6), (b)(7) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/20/2013

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/20/2013 at (b)(6), (b)(7)(C) premises located at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) asked that I read all of the questions to him first, and said that after hearing them, he would decide if he wanted to answer. I did read the questions to (b)(6), (b)(7)(C) and he stated he "declined to participate at this time". He then asked if he could have a copy of the questions. I answered that I needed to keep the copy I had as it had notes and other information on it, but said that I would inform my supervisor that he would like a copy of the questions sent to him and that decision would have to come from the supervisor. At that point, (b)(6), (b)(7)(C) provided his e-mail address and asked that the questions be sent to him.

He willingly agreed.

I declare under penalty of perjury that the foregoing statement is true and correct. This statement is executed by me on 06/20/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/19/2013 at (b)(6), (b)(7)(C). I met (b)(6), (b)(7)(C) and explained that I needed to meet with (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained that (b)(6), (b)(7)(C) and that he, (b)(6), (b)(7)(C) actually (b)(6), (b)(7)(C) partnership, and that he would answer any questions I had; he further explained that (b)(6), (b)(7)(C) was out of town. (b)(6), (b)(7)(C) provided his own phone number, (b)(6), (b)(7)(C), and stated that the residence was (b)(6), (b)(7)(C) but that as he worked on the farm, (b)(6), (b)(7)(C) was the best address to reach him at.

I explained to (b)(6), (b)(7)(C) that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) is a family business classified as a partnership, and that the land has been in (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated the farm consists of about (b)(6), (b)(7)(C) acres, and that (b)(6), (b)(7)(C) owns all of the land; (b)(6), (b)(7)(C) explained the land surrounding the residence is the land (b)(6), (b)(7)(C) owns and farms. (b)(6), (b)(7)(C) stated they (he and (b)(6), (b)(7)(C)) plant (b)(6), (b)(7)(C) acres of wheat a year, and leaves (b)(6), (b)(7)(C) acres fallow, and they do not irrigate.

(b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) has never planted Round-Up Ready/glyphosate resistant wheat, and that he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He does not know of anyone in the area who was having problems with glyphosate herbicide failing to kill volunteer wheat plants.

(b)(6), (b)(7)(C) confirmed they planted the Westbred 528 (WB528) variety in (b)(6), (b)(7)(C), the Rod variety in (b)(6), (b)(7)(C) Coda Club in (b)(6), (b)(7)(C) and no Club style wheat in the past four years. (b)(6), (b)(7)(C) stated they generally plant Clearfield, Tubs and Trifecta, and planted all of three varieties in (b)(6), (b)(7)(C).

stated he does not plant GMO soybeans, corn, or sugar beets or any other GMO crops, but occasionally they do grow some regular (b)(6), (b)(6), (b) said they purchase wheat seed from (b)(6), (b)(7)(C) (b)(6), by bulk, and they pick the seed up in one of their own trucks. (b)(6), (b) said they do not produce any wheat for seed, nor is any grain stored on their farm. (b)(6), (b) stated that they sell the wheat to either (b) or (b)(6), (b)(7)(C)

(b)(6), (b) stated that they own their farm equipment and do all of their own farming; they do not hire any customs farming services, but added that (b) provides a field consultant they use. (b)(6), (b) explained his crop rotation as they leave half fallow, and rotate spring wheat, then plant winter wheat, then leave the land fallow; the majority of the land is chemically fallowed, not drilled or plowed, and this is generally done in early April at a rate of (b) oz/acre.

(b)(6), (b) explained that in order to control weeds in the wheat crop, they use glyphosate, both name brand Roundup and generic varieties, as well as 24-D, and that they do use surfactants such as "sticker-spray", all mixed in the tank with water from the farm well. (b)(6), (b) explained they add a water conditioner and fertilizer in the tank mix, and said they brands were Solution 32, Beyond, Weld (24-D) and a fungicide called Twin-Line.

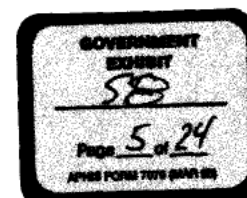
(b)(6), (b) stated he does not have any test plots on his farm, but he thinks that a neighbor about (b) miles away, (b)(6), (b)(7)(C) might have some test plots on his farm. (b)(6), (b) stated he did not have any additional information about test plots in the area, or in the (b)(6), (b)(7) area. (b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and didn't know how the problem might have gotten started. (b)(6), (b) stated that he did not have any other information to add and that he would call if he thought of anything.

On 06/20/2013, IES Investigator (b)(6), (b)(7)(C) met me in the hotel lobby and handed me Oregon Wheat Case Interview Questions for (b)(6), (b)(7)(C) of (b)(6), (b)(7)(C). According to Investigator (b)(6), he met with (b)(6), (b)(7)(C) on the afternoon of 06/19/2013, but (b)(6), (b) explained that he had already spoken to me at his (b)(6), (b) residence; (b)(6), (b) showed Investigator (b)(6), my business card. Investigator (b)(6), asked (b)(6), (b) if he and (b)(6), (b) farmed separately, and (b)(6), (b) answered that they (b)(6), (b)(7)(C). As the information obtained is the same, Investigator (b)(6), turned the questions for (b)(6), (b)(7)(C) over to me to be kept with the interview questions already completed by this subject.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/21/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my attempts to contact (b)(6), (b)(7)(C) on 06/19/2013 regarding the USDA investigating the discovery of glyphosate resistant wheat in Oregon. On 06/19/2013, I drove to (b)(6), (b)(7)(C). The location was a UPS store and (b)(6), (b)(7)(C) was a mail box. After identifying myself, I asked the clerk if he would provide a physical address for (b)(6), (b)(7)(C) and the clerk declined. At that point, I contacted (b)(6), (b)(7)(C) IES (b)(6), (b)(7)(C) Investigative Analyst, and requested she assist me with a search to locate another address. Analyst (b)(6), (b)(7)(C) provided an address (b)(6), (b)(7)(C) and phone number (b)(6), (b)(7)(C). I made multiple attempts to contact (b)(6), (b)(7)(C) at this number, both on 06/19/2013 and on 06/20/2013, and each time, received a busy signal on the phone line.

On 06/19/2013, at around 6/30 p.m., I arrived at (b)(6), (b)(7)(C); a gate to the entrance was locked with a chain. I took photographs of the chained entrance and address on my phone.

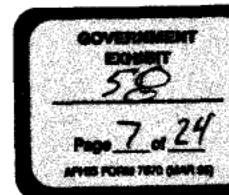
I drove about (b)(6), (b)(7)(C) down the road to the closest neighbor (b)(6), (b)(7)(C), and asked if she could provide any information regarding the location of (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained that no one had been living in (b)(6), (b)(7)(C) residence for a while, weeks or maybe months, and she thought that he was living in (b)(6), (b)(7)(C) because that is where she thought he worked. I asked (b)(6), (b)(7)(C) if she had another phone number for (b)(6), (b)(7)(C) and she stated she used to have his home number for the residence he no longer lived in, but was not sure where she kept it. I asked if that number was (b)(6), (b)(7)(C) and she said she thought that was the residence number.

I returned to the gate for (b)(6), (b)(7)(C) address, and observed the residence from the road; no lights were on in the house, I did not see any vehicles no the house. I did not observe any fresh tracks on the entrance road/drive way; as it was a dirt and gravel drive and was raining, any recent traffic should have left tracks. As a No Trespassing sign was on the gate, I did not climb the gate and walk to the residence. At around 7:00 p.m., I left the residence and returned to (b)(6), (b)(7)

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/21/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

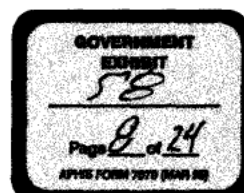
I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/19/2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon, along with my business card. (b)(6), (b)(7)(C) explained that he (b)(6), (b)(7)(C), which is called (b)(6), (b)(7)(C), and that they own (b)(6), (b)(7)(C) acres, and do not lease any land. (b)(6), (b)(7)(C) explained the land surrounding the residence is the land (b)(6), (b)(7)(C) owns and farms. (b)(6), (b)(7)(C) stated he plants between (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) acres of wheat a year, and leaves the rest of the acres fallow.

(b)(6), (b)(7)(C) stated he has never planted Round-Up Ready/glyphosate resistant wheat, and that he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He does not know of anyone in the area who was having problems with glyphosate herbicide failing to kill volunteer wheat plants.

(b)(6), (b)(7)(C) confirmed he planted the Westbred 528 (WB528) variety in (b)(6), (b)(7)(C), never planted any of the Rod variety, Coda Club or Club style wheat in the past four years. (b)(6), (b)(7)(C) stated he generally plants Trifecta and 102 ORCF, which he purchased from (b)(6), (b)(7)(C) in bulk and transported in his own truck. (b)(6), (b)(7)(C) stated he does not plant GMO soybeans, corn, or sugar beets or any other GMO crops, but occasionally they do grow some (b)(6), (b)(7)(C) for seed production. (b)(6), (b)(7)(C) he does not produce any wheat for seed, but that he does store wheat on his farm. (b)(6), (b)(7)(C) stated that he sells his wheat to either (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated that he owns his own farm equipment and does all of his own farming, unless he is very behind and needs assistance, and added that (b)(6), (b)(7)(C) provides a field consultant he occasionally uses. (b)(6), (b)(7)(C) explained his crop rotation as planting and harvesting winter wheat and then leaving the land fallow; he stated in wet years, he sometimes plants spring wheat, and did plant some



this year, but only a few hundred acres. (b)(6), (b)(7)(C) stated he chemically fallows the land using Roundup, generally in late spring to early summer at a rate of (b)(6) oz./acre up to (b)(6) oz./acre if he needed. He explained that some of the weeds, such as Cheat Grass and China Lettuce, appear to be somewhat Roundup resistant, and applying a heavier dose seems to eradicate the weeds fairly well.

(b)(6), (b)(7)(C) explained that in order to control weeds in the wheat crop, he uses Beyond and Trueslate, and he does use surfactants such as NF-90. (b)(6), (b)(7)(C) explained that he adds fertilizer to his tank mix with well water from his farm.

(b)(6), (b)(7)(C) stated he does not have any test plots on his farm, but he thinks that a neighbor, (b)(6) might have some run by (b)(6) in the (b)(6), area, but (b)(6), (b)(7)(C) was not sure what he was growing. (b)(6), (b)(7)(C) stated that he did not have any other information to add and that he would call if he thought of anything.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/21/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/19/2013 at (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation and he agreed to provide information. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon. (b)(6), (b)(7)(C) stated his farm is called (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated the farm consists of about (b)(6), (b)(7)(C) acres that he owns and that he leases another (b)(6), (b)(7)(C) acres; (b)(6), (b)(7)(C) explained that all of the land he farms is within about (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained that he is currently growing about (b)(6), (b)(7)(C) acres of winter wheat and (b)(6), (b)(7)(C) acres of spring wheat and has around (b)(6), (b)(7)(C) acres of wheat left fallow.

(b)(6), (b)(7)(C) stated he has never planted Round-Up Ready/glyphosate resistant wheat, and that he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He does not know of anyone in the area who was having problems with glyphosate herbicide failing to kill volunteer wheat plants.

(b)(6), (b)(7)(C) confirmed he planted the Westbred 528 (WB528) variety (b)(6), (b)(7)(C) the Rod variety in (b)(6), (b)(7)(C) and did not plant either Coda Club or Club style wheat in the past four years. (b)(6), (b)(7)(C) stated he is currently growing (b)(6), (b)(7)(C); some of this he purchased from (b)(6), (b)(7)(C) by bulk, which he picked up in his truck, and the rest is seed that he had grown and stored on his farm. (b)(6), (b)(7)(C) confirmed that he does grow wheat for seed and stores it on his farm, and stated that she he sells wheat, it is generally to (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) stated that he owns his own farm equipment does all of his own farming, although he does occasionally have (b)(6), (b)(7)(C) do some spraying for him when he is very busy. Occasionally, (b)(6), (b)(7)(C) acts a field consultant for (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained his crop rotation as a (b)(6), (b)(7)(C) year rotation in which he plants in winter, then leaves the land fallow in the (b)(6), (b)(7)(C).

spring. (b)(6), (b) stated the majority of the land is chemically fallowed, not drilled or plowed, and this is generally done in early spring and early summer at a rate of (b) oz/acre.

(b)(6), (b) explained that in order to control weeds in the wheat crop, he uses Allyxtra, Husky and Bronate. (b)(6), (b) stated he uses a surfactant called NuChem 90 all mixed in the tank with water from the farm well. (b)(6), (b) explained he did add a water conditioner and fertilizer in the tank mix consisting of ammonium sulfate.

(b)(6), (b) stated he does not have any test plots on his farm, but he thinks (b) might have one on (b)(6), (b)(7) that is a research plot, but he did not know any of the details regarding that plot. (b)(6), (b) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields, and didn't know how the problem might have gotten started. (b)(6), (b) stated that he did not have any other information to add and that he would call if he thought of anything.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/21/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/24/2013 at the (b)(6), (b)(7)(C). On 06/18/2013, IES Investigator (b)(6), (b)(7) and I drove to the residence of (b)(6), (b)(7) at (b)(6), (b)(7)(C), where (b)(6), (b)(7) informed us that (b)(6), (b)(7) was out of town for the week and provided his cellular phone number, (b)(6), (b)(7)(C). On the morning of 06/24/2013, I placed a call to (b)(6), (b)(7) and asked if I could meet with him; he explained that he was out of town for work, but that he could meet me in (b)(6), (b)(7) on his way home.

On 06/24/2013, around 2:00 p.m., I met with (b)(6), (b)(7) and explained that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon, along with my business card. (b)(6), (b)(7) explained that he is a (b)(6), (b)(7)(C) and also farms about (b)(6), (b)(7) acres; (b)(6), (b)(7) stated his farming operation is locally referred to as (b)(6), (b)(7)(C), but that name is not a legal entity. (b)(6), (b)(7) stated he and (b)(6), (b)(7) own about (b)(6), (b)(7) acres and lease an additional (b)(6), (b)(7) acres, which is all dry land farming, as they do not have an irrigation system. (b)(6), (b)(7) explained he owns and farms the land surrounding his residence and planted between (b)(6), (b)(7) acres of wheat this year. (b)(6), (b)(7) explained that about (b)(6), (b)(7) acres is fallow and the rest is planted with (b)(6), (b)(7).

(b)(6), (b)(7) stated he has never planted Round-Up Ready/glyphosate resistant wheat, and that he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He does not know of anyone in the area who was having problems with glyphosate herbicide failing to kill volunteer wheat plants.

(b)(6), (b)(7) confirmed he planted the Westbred 528 (WB528) variety in (b)(6), (b)(7) planted the Rod variety in (b)(6), (b)(7)(C), never planted any Coda Club wheat, but that he did plant Chukar Club, also known as (b)(6), (b)(7).

beardless wheat, in (b)(6), (b)(7)(C). (b)(6) stated he also plants (b)(6), (b)(7)(C) wheat in the spring, which he purchased from (b)(6), (b)(7)(C) (b)(6), in bulk and transported in his own truck. (b)(6) stated he does not plant GMO soybeans, corn, or sugar beets or any other GMO crops except for the (b)(6), (b)(6) stated he does not produce any wheat for seed, nor does he store wheat on his farm. (b)(6) stated that he sells his wheat to (b)(6)

(b)(6), (b)(7) stated that he owns his own farm equipment and does all of his own farming, and he acts as his own field consultant. (b)(6), (b)(7) explained his crop rotation is a (b)(6) year rotation; he plants winter wheat, spring wheat and then leaves the land fallow. He stated he generally chemically fallowed his land, although he occasionally used a drill. (b)(6) stated he chemically fallows the land using Roundup, generally in late spring to early summer at a rate (b)(6) oz./acre up to (b)(6) oz./acre if he needed.

(b)(6) explained that in order to control weeds in the wheat crop, he uses Ally, Bronate, Widematch, Olympus, Maverik and occasionally Beyond. (b)(6) explained that he uses well water and he does use surfactants such as Power Lock, but he does not use any water conditioner or soluble fertilizer in his tank mix.

(b)(6) explained he has about (b)(6) acres of wheat in the middle of a (b)(6), field, which (b)(6), (b)(7)(C) and possibly the (b)(6), (b)(7)(C) were working with using (b)(6), (b)(7)(C). (b)(6) stated that he did not have any other information to add and that he would call if he thought of anything.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/24/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

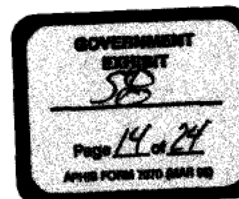
I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(6), on 06/24/2013 at his residence on (b)(6), (b)(7)(C). On 06/18/2013, IES Investigator (b)(6), (b)(7) and I drove to the residence of (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C). (b)(6), informed us that he was (b)(6), (b)(7)(C), and that we should speak to (b)(6), (b) and partner (b)(6), (b)(7) farm (b)(6), (b)(6), (b)(7)(C) provided an address for (b)(6), (b) and stated he was out of town for the day, but that we could try to get in touch with him later in the week. (b)(6), (b)(7)(C) provided a phone number for (b)(6), (b)(7) (b)(6), (b)(6), (b).

On 06/24/2013, I arrived at the residence of (b)(6), (b)(7)(C) and explained that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon, along with my business card. (b)(6), (b)(7) explained that he and (b)(6), (b) (b) farm about (b) acres of farmland under the name (b)(6), (b)(7)(C), which is classified as a Partnership (b)(6), (b)(7)(C). (b)(6), (b)(7) stated he (b) (b)(6), (b) own the (b) acres and that the most of the land (b)(6), (b)(7)(C). (b)(6), (b)(7) explained he owns and farms the land (b)(6), (b)(7)(C) residence and planted about (b) acres of wheat this year, leaving about (b) acres fallow. (b)(6), (b)(7)

(b)(6), (b)(7) stated he has never planted Round-Up Ready/glyphosate resistant wheat, and that he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants. He does not know of anyone in the area who was having problems with glyphosate herbicide failing to kill volunteer wheat plants.

(b)(6), (b)(7) confirmed he planted the Westbred 528 (WB528) variety in (b)(6), (b)(7)(C), planted the Rod variety in (b)(6), (b)(7)(C), planted any Coda Club wheat in (b)(6), (b)(7)(C), and



planted Club wheat for the past (b)(6), years. (b)(6), (b)(7) stated he also plants Clearfield and Xerpha wheat; he explained that he purchases all of his seeds from (b)(6), (b)(7)(C) (b)(6), in bulk and transported in his own truck. (b)(6), (b)(7) stated he does not plant GMO soybeans, corn, or sugar beets or any other GMO crops. (b)(6), (b)(7) stated they occasionally grow some (b)(6), but that he had not planted any this year. (b)(6), (b)(7) stated he used to produce any wheat for seed, but has not done so in about (b) years, and that he does store wheat on his farm. (b)(6), (b)(7) stated that he sells his wheat to (b))
(6)

(b)(6), (b)(7) stated that he owns his own farm equipment and does all of his own farming, and (b)(6), (b)(6), (b)(7), acts as his field consultant. (b)(6), (b)(7) explained his crop rotation is a (b) year (b)(7) rotation; he plants (b)(6), (b)(7)(C) g wheat and then leaves the land fallow although he may fallow between winter and spring if the rainfall has been limited. He stated he generally chemically fallowed his land, although he occasionally used a drill. (b)(6), (b)(7) stated he chemically fallows the land using Roundup, generally in late spring to early summer at a rate of (b) oz./acre up to (b) quarts/acre if he needed.) b

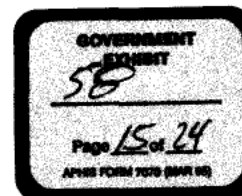
(b)(6), (b)(7) explained that in order to control weeds in the wheat crop, he uses Beyond, Roundup and 24-D. (b)(6), (b)(7) explained that he uses well water and he does use surfactants such as Class Act, Twin Line, Interlock and Power Lock and also uses ammonia bases fertilizers, although he could not recall the names of the fertilizers. He stated he generally applies herbicides in the spring, but has had to apply as late as August to control the weeds.

(b)(6), (b)(7) stated he does not have test plots on his farm, but that (b)(6), (b)(7)(C) might have some, about (b) miles away. (b)(6), (b)(7) stated that he did not have any other information to add and that he would call if he thought of anything. (6)

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/24/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) on 06/24/2013 at (b)(6), (b)(7)(C) residence located at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) phone number is (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. I gave (b)(6), (b)(7)(C) a copy of the USDA News Release dated May 29, 2013 that explains the discovery of the glyphosate resistant wheat plants in Oregon.

(b)(6), (b)(7)(C) stated he farms under the name (b)(6), (b)(7)(C) and that he is not incorporated or in a legal partnership; he (b)(6), (b)(7)(C) farm the acres they own, which consists of about (b)(6), (b)(7)(C) acres of non-irrigated land. He said he plants (b)(6), (b)(7)(C) acres of wheat a year, and leaves (b)(6), (b)(7)(C) acres fallow and had about (b)(6), (b)(7)(C) more acres planted with (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated that someone had spoken to (b)(6), (b)(7)(C) last week, (b)(6), (b)(7)(C), but the farms were separate.

(b)(6), (b)(7)(C) said he has never planted Round-Up Ready wheat. He stated he has never experienced a problem where glyphosate herbicide applied to his fields did not kill volunteer wheat plants.

(b)(6), (b)(7)(C) confirmed he planted both Westbred 528 (WB528) and Rod winter wheat varieties in (b)(6), (b)(7)(C) and did not plant Coda Club or any Club style wheat. (b)(6), (b)(7)(C) stated that he also planted Xerpha, Skiles and Clearfield 102; he added that in the spring, he planted (b)(6), (b)(7)(C) spring wheat varieties. (b)(6), (b)(7)(C) stated he does not plant soybeans, corn, or sugar beets or any other crops with the exception of (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated that he purchases his seeds from (b)(6), (b)(7)(C) and that he occasionally uses a field consultant from (b)(6), (b)(7)(C). He stated that he occasionally had spraying done for him, but otherwise did not hire any custom farming.

(b)(6), (b)(7)(C) said he does his own farming and does not produce wheat for seed nor does he store wheat on his farm; he said he sells his wheat to (b)(6), (b)(7)(C).

(b)(6), (b)(7) stated his crop rotation is a (b)(6) year rotation; he plants (b)(6), (b)(7)(C) wheat, and then leaves the land fallow for a year. He said the land was chemically fallowed.

(b)(6), (b)(7) stated he uses Beyond, Curtail and Axiel for weed control. He stated he uses M90 as a surfactant, which is tank mixed with city water. (b)(6), (b)(7) stated he applies herbicides containing glyphosate, such as Roundup and Bayer, in the spring at a rate of (b)(6) oz./acre.

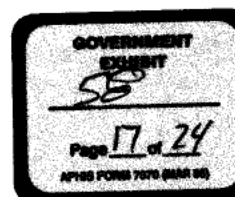
(b)(6), (b)(7) stated he does not have a test plot, although he thinks that there is one about (b)(6), miles from his land run by (b)(6), (b)(7) (b)(6), (b)(7) stated he had no information regarding the test plot.

(b)(6), (b)(7) stated he is not aware of any other farmers that are having problems with glyphosate resistant volunteer wheat in their fields.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/24/2013

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my telephone conversation with (b)(6), (b)(7)(C) on 06/21/2013 at 1:00 p.m. On the morning of 06/21/2013, IES Investigator (b)(6), (b)(7) informed me that he had an one subject which had agreed to be questioned over the phone, but Investigator (b)(6), (b)(7) was scheduled to depart prior to the scheduled time of 1:00 p.m.; I informed Investigator (b)(6), (b)(7) that I would be available to place the call to (b)(6), (b)(7). Later that morning, IES NW Area Manager Tracy Ramthun reassigned the subject to me and provided the list of questions and phone number in which I could reach (b)(6), (b)(7).

On 06/21/2013, I placed a call to phone number (b)(6), (b)(7)(C), which is listed as the cellphone number for (b)(6), (b)(7). I explained to (b)(6), (b)(7) that I am an Investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions about his farming operation. He willingly agreed. Because we were not face to face, I was unable to provide (b)(6), (b)(7) a copy of the USDA News Release dated May 29, 2013, which explains the discovery of the glyphosate resistant wheat plants in Oregon, nor was I able to provide my business card.

(b)(6), (b)(7) explained that the best address was the P. O. Box address, and the number I called was a good number for him. (b)(6), (b)(7) explained that previously, (b)(6), (b)(7) farmed around (b)(6), (b)(7) acres, but that (b)(6), (b)(7)(C) (b)(6), (b)(7) years ago, and now he only farmed (b)(6), (b)(7) acres in the (b)(6), (b)(7) area; (b)(6), (b)(7) stated that he has only been farming this land for about (b)(6), (b)(7) years. (b)(6), (b)(7) stated that he purchased seed from (b)(6), (b)(7)(C) (b)(6), (b)(7) and was a member of the (b)(6), (b)(7)(C) (b)(6), (b)(7). (b)(6), (b)(7) stated that a field consultant from (b)(6), (b)(7) (last name not provided) advised him with issues regarding his planting. (b)(6), (b)(7) stated that he did none of his own farming, and that (b)(6), (b)(7) normally assisted him in finding someone to plant, treat and harvest his grain.

I began to ask (b)(6), (b) the questions, and his answer was that he really did not know the answers to any of the questions I asked. (b)(6), (b) then said he felt like this was a waste of time and apologized for not having any of the information that I needed. That concluded the conversation with (b)(6), (b)

On 06/27/2013, I placed a call to (b) at the (b)(6), at phone number (b)(6), (b)(7)(C). A man named answered the call, identified himself as (b)(6), (b)(7) and confirmed that (b)(6), (b)(7)(C) worked with (b)(6), (b) but said (b)(6), (b)(7) was not in at the moment. I left a message for (b)(6), (b)(7) to either call me, or to call (b)(6), Investigator (b)(6), (b)(7) to answer a few questions, and provided contact information for both Investigator (b)(6), and myself. (b) said that he would pass the info and message onto (b) (b)(7) (b)(6), (b)

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/27/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C), on 06/25/2013 in the (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) confirmed his home and office address to be (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) provided two phone numbers; his home phone number is (b)(6), (b)(7)(C) and his cellular phone number is (b)(6), (b)(7)(C). I explained to (b)(6), (b)(7)(C) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions regarding his involvement with the (b)(6), (b)(7)(C). He worked on for (b)(6), (b)(7)(C). He willingly agreed to provide a statement. (b)(6), (b)(7)(C) explained he worked for (b)(6), (b)(7)(C) for about (b)(6), (b)(7)(C) years as a (b)(6), (b)(7)(C) manager and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained his (b)(6), (b)(7)(C) was in (b)(6), (b)(7)(C) (b)(7)(C).

(b)(6), (b)(7)(C) stated that he did not recall exactly when he started working with glyphosate resistant wheat for (b)(6), (b)(7)(C) and explained that he had no records at all regarding the trials, because he returned them to (b)(6), (b)(7)(C) or destroyed any records upon (b)(6), (b)(7)(C). He said that he would answer any questions he was able, but added that as all of the glyphosate resistant wheat testing ceased in (b)(6), (b)(7)(C) his answers would all be general and not specific to any particular trial or test plot. (b)(6), (b)(7)(C) reviewed several of the (b)(6), (b)(7)(C) permits, but stated he was unable to recall specifics regarding any of the trials. He stated that at the end of each trial, he would send information, including field notes, yield and other information back to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) repeated that without notes regarding each trial, he really could not answer specific questions regarding any of the glyphosate resistant wheat plots.

(b)(6), (b)(7)(C) stated he thought most of the (b)(6), (b)(7)(C) with glyphosate resistant wheat were (b)(6), (b)(7)(C) wheat varieties, but stated either his notes or the permits should specifically identify the variety for each test plot. (b)(6), (b)(7)(C) reviewed Permit (b)(6), (b)(7)(C) and stated permit might have been for a trial with glyphosate resistant (b)(6), (b)(7)(C) wheat, but that he seemed to recall being directed by (b)(6), (b)(7)(C) to eliminate that test plot. (b)(6), (b)(7)(C) stated he used (b)(6), (b)(7)(C) to kill the wheat before it seeded, and he then (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) reviewed the permit, which

listed (b)(6), (b)(7)(C), and stated that although he was not sure because of how long ago this was, he believed this was farm on which he grew the glyphosate resistant (b)(6), (b)(7)(C) wheat. (b)(6), (b) could recall no other details about this trial, including the time frame. (b)(6), (b) did not recall other glyphosate resistant (b)(6), (b)(7)(C) wheat trials, but stated he could not be completely sure.

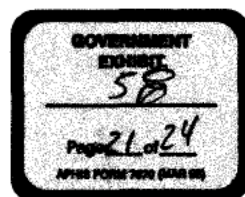
(b)(6), (b) stated there were many different test plots, and that (b)(6), (b) would have the exact location and latitude/longitude coordinates for the plots, but that the majority of the work he conducted was in (b)(6), (b) test plots close to the (b)(6), (b)(7)(C).
(b)(6), (b)

(b)(6), (b) stated that each trial had multiple protocols; there were the USDA protocols as well as more stringent protocols created and enforced by (b)(6), (b) and that (b)(6), (b) required him to take (b)(6), (b) Training each year; recently this training was conducted as a webinar, but prior to that, the training was held at different locations hosted by (b)(6), (b).

Regarding the farming practices for the test plots, (b)(6), (b) explained that for the most part, he did most of the work himself, as he did not have a large budget with which to hire technicians. (b)(6), (b) explained he sometimes was able to use a student from the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) for a semester to assist him, but the only employee that (b)(6), (b) had for a long period of time was (b)(6), (b)(7), who held a (b)(6), (b)(7)(C) degree. (b)(6), (b) stated that even when he had the assistance of a college student or (b)(6), (b)(7) he, (b)(6), (b) prepared the ground, the seed and planted. He stated he personally took all of the notes and maintained the records for each test site, and that he and (b)(6), (b)(7) moved and cleaned the farm equipment themselves. He stated that he and (b)(6), (b) also performed the routine maintenance of the equipment for the most part, although when there was a serious issue, (b)(6), (b) took the equipment to the (b)(6), (b) facility in (b)(6), (b)(7).
(b)(6), (b)(7)

(b)(6), (b) explained that he had a tractor, a (b)(6), (b)(7)(C) various hand tools such as post hole diggers, shovels, etc., and a backhoe used to dig large trenches and holes. (b)(6), (b) stated he only worried about cleaning the equipment when he used it on the glyphosate resistant wheat trials, as there were specific protocols in place regarding cleaning that equipment. (b)(6), (b) stated that he could not recall the specific protocols, but that he used a shop-vac to vacuum any seeds in the drill and the shop-vac and an air compressor to clean the combine. (b)(6), (b) stated after he removed the seed with the shop-vac, he would empty the seeds into a hole and bury them. He stated with the combine, he and (b)(6), (b)(7) used an air compressor with a wand to really focus the air and ensure no seeds or chaff remained in the machine. Any seeds and chaff were buried after this process.

(b)(6), (b) stated that (b)(6), (b) personnel did visit his sites periodically, but he could not recall many site visit details. (b)(6), (b) stated that (b)(6), (b) hired independent consultants to monitor test plots and ensure USDA, State and (b)(6), (b) regulations and protocols were being met; one such consultant was



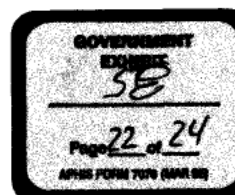
(b)(6), (b)(7)(C) (b)(6), (b) explained that (b)(6), (b) did not work directly for (b)(6), (b) although they did pay him for his services. (b)(6), (b) stated there were other independent consultants, but that (b) was the only name he could recall. (b)(6), (b) stated that he was visited a few times by USDA Plant Protection and Quarantine (PPQ) Officials, but that he could not recall when or the details of the visit. (b)(6), (b) stated he had never heard of BRS. (b)(6), (b) said he received a few visits from (b)(6), Department of Agriculture inspector; (b)(6), (b) recalled the inspector was a (b)(6), out of the (b)(6), office, but could not recall her name or how many visits she made. (b)(7)

(b)(6), (b) described the processes used to prevent contamination between the glyphosate resistant wheat and other wheat fields. He first stated that the (b)(6), (b)(7)(C) area test plots were easy to control, as (b)(6), (b) leased the majority of the land and it was not directly close to other wheat. (b)(6), (b) added that wheat was self-pollinating, not cross pollinating, and that cross pollination contamination was not a concern. (b)(6), (b) added that when planting glyphosate resistant wheat on a cooperator's farm, he followed the most restrictive protocol in place by either the USDA or (b)(6), (b) in designing a buffer. (b) explained that generally, (b)(6), (b) protocols were more severe than those imposed by USDA, (b), and those were the protocols that (b)(6), (b) followed. (b)

(b)(6), (b) described the process for receiving, planting, harvesting and destroying glyphosate resistant wheat. He stated that he would receive the packages containing the seeds either at his home address on (b)(6), (b)(7)(C), or the seeds would be delivered to him at the (b)(6), (b)(7)(C) (near the airport; generally, delivery was by Federal Express. (b)(6), (b) stated that if the seeds were delivered to him at his home, he would either drive out to test plots that day, or he would lock the seeds in his truck overnight and plant them the following day. (b)(6), (b) stated he never had any incident when storing the seeds in his truck.

(b)(6), (b) explained the seeds were shipped in a cloth bag, and that bag was inside a sealed plastic bag. (b)(6), (b) stated he did not recall ever having the bags open or observing any seed spillage occurring with the glyphosate resistant wheat. (b)(6), (b) stated after planting the seeds, he dug a hole and buried any remaining seeds. (b)(6), (b) stated that although he worked on many test plots, he is sure he did this on each site because it was the protocol and he always followed the protocol. (b)(6), (b) stated that after he emptied the seeds from the cloth sack, he would burn the sack.

(b)(6), (b) stated that during the year, he would use a (b)(6), (b)(7)(C) that was a minimum of (feet deep. When he harvested the wheat, unless he collected samples, he would place the auger of the combine over the hole and would dump all of the harvest into the trench and bury it. He stated that most of his plots were very small, and he could generally complete the harvesting and burial in one to two days; if it took two days, the seeds were in the trench, but not buried. (b)(6), (b) stated that sometimes, (b)(6), (b) requested seed samples, and he would collect them in a cloth bag and ship them to (b)(6), (b)(7)(C). (b)(6), (b) stated when harvesting seeds for samples, he placed them in a sample bag, and did not process the seeds prior to placing them in a bag. (b)(6), (b) stated he does not recall if he used single

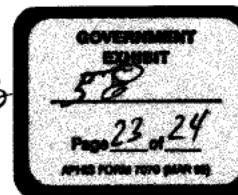


or double bags for the seed, but that they were small bags, containing about a pound each, and he was sure that if the protocol said to double bag the samples then he likely did. The amount he collected was in relation to the size of the field. (b)(6), (b) could not recall the address in (b)(6), (b)(7)(C) he shipped the samples to, but when reviewing Permit (b)(6), (b)(7), Application number (b)(6), (b)(7)(C), he noted the (b)(6), (b)(7)(C) (b)(6), ship to address (b)(6), (b)(7)(C) with the name (b)(6), (b)(7) listed as a contact and stated it is likely the address to which he shipped seed samples. (b)(6), (b) stated was familiar with the name (b)(6), (b)(7) (b)(6), (b) explained (b)(6), (b) stored many samples and varieties in the (b)(6), (b)(7)(C) facility and he is certain he shipped samples of glyphosate resistant wheat to that facility, although (b)(6), (b) could not recall which varieties he shipped.

(b)(6), (b) stated that once seed was harvested, he personally checked and monitored the test plots at least monthly. (b)(6), (b) stated that often, volunteers would grow once there was rain. (b)(6), (b) explained that in the glyphosate resistant wheat test plots, he used chemicals to fallow the land; he believed that he used (b)(6), (b). He stated that he would not cultivate these test plots until there was no more wheat volunteers, and then he would use a (b)(6), (b)(7)(C). (b)(6), (b) said the USDA and (b)(6), (b) required observation of the test plots for a minimum amount of time, but he could not recall the amount of time; he stated he followed whatever protocols were in place at the time.

Regarding the collection of seeds, (b)(6), (b) stated when collecting seed, generally he collected the samples in a single day and shipped that evening, but that on one occasion he was unable to complete the harvesting in a single day. (b)(6), (b) stated that rather than send multiple shipments, he took the bags of seed and stored them in a barn on the farm of (b)(6), (b)(7). (b)(6), (b) could not recall the exact address, but stated the barn was on the (b)(6), (b)(7) side of the state line, but that some of (b)(6), (b)(7) property was on the (b)(6), side of the line. (b)(6), (b) said that when he stored the grain in (b) barn, he stored it in the (b)(6), and he locked the door, and all of the bags were present the following morning; he only recalled the incident because he explained to (b)(6), (b) Officials that he had stored seed overnight rather than leave bags in the field. (b)(6), (b) believed this happened in the summertime (b)(6), because he recalled (b) was the year (b)(6), (b) requested seeds from the glyphosate resistant wheat plots; (b)(6), (b) added that it was very hot on the day they collected the seeds. (b)(6), (b) explained there were protocols in place for seed spillage and contamination issues, but he never encountered those issues, and could not recall the protocols.

(b)(6), (b) explained that (b)(6), (b)(7) allowed (b)(6), (b) to build a barn for storage on his land, and that when (b)(6), (b) left the area, (b)(6), (b)(7) was allowed to keep the barn. (b)(6), (b) stated that (b)(6), (b) stored seeds in the (b)(6), (b) of the barn; these seeds were mostly (b)(6), (b)(7)(C) seeds, but (b) admitted some commercial wheat seeds were stored in the barn as well. (b)(6), (b) stated he is certain that he never left glyphosate resistant wheat in the barn with the exception of the time he stored it overnight. (b)(6), (b) explained that when (b)(6), (b) turned the barn over to (b)(6), (b)(7)(C) had his farm workers clean the barn and remove all of the old seeds from the (b)(6), (b). (b)(6), (b)



explained that mice had torn open bags and made large messes in the area. (b)(6), (b) stated that all of the seeds were loaded into a truck and "hailed to the dump". (b)(6), (b) admitted he did not witness the seeds being removed to the dump, and he did not witness the seeds being buried or destroyed. (b)(6), (b) admitted he did not witness any torn bags of seed or seed infested with mice. (b)(6), (b) confessed that did not conduct any inventory what types of seeds were stored in the barn, and he had no knowledge if any other (b)(6), (b) representative did conduct an inventory. (b)(6), (b) did not know whom else from (b)(6), (b) stored product in the barn on (b)(6), (b)(7) farm.

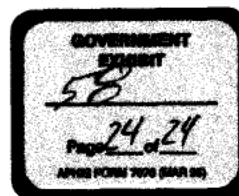
(b)(6), (b) stated that he did not think recall (b)(6), (b) paying farmers for the use of their land for a test plot, although (b)(6), (b) would give them a few bottles of Roundup. (b)(6), (b) state he had no contracts or other records of the farms where glyphosate resistant wheat was tested.

Regarding security, (b)(6), (b) explained there was no security in place around the glyphosate resistant wheat test plots. (b)(6), (b) said there were no fences or barriers and that occasionally (b)(6), (b) or the (b)(6), (b)(7) would have "field-days" and would have farmers and seed representatives out to visit the fields. (b)(6), (b) explained this was because (b)(6), (b) planned to launch the glyphosate resistant wheat in the future, and were not trying to hide the product or the location.

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 06/26/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



Declaration of (b)(6), (b)(7)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7). My office address is 2150 Centre Avenue, Bldg. (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, (b)(6), (b)(7)(C). I can also be reached at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) aphis.usda.gov. (b)(6), (b)(7)

I am responsible for conducting investigations related to APHIS programs and regulations. My duties in part are to conduct interviews, prepare sworn affidavits, collect physical and documentary evidence, and prepare written investigative reports.

On June 20, 2013, I met (b)(6), (b)(7)(C) at a local café in (b)(6), (b)(7)(C) to conduct an interview. I introduced myself as an investigator employed by the United States Department of Agriculture. Additionally, he was informed the USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. Furthermore, I explained to him that USDA investigators were presently interviewing growers in the area for the purpose of determining if this was an isolated incident or a more widespread one.

(b)(6), (b)(7)(C) was aware of the Oregon detection and provided the following information regarding his Farming practices. (b)(6), (b)(7)(C) is the owner and operator of (b)(6), (b)(7). He has been in business for (b)(6), (b)(7)(C) and is located at (b)(6), (b)(7)(C). He has never observed glyphosate resistant wheat growing in his fallow fields after spraying. Moreover, he is not aware of neighboring farmers having the issue now or in the past. (b)(6), (b)(7)(C) owns (b)(6) acres and leases (b)(6) acres. There is approximately (b)(6) acres of wheat planted each year at (b)(6), (b)(7) and (b)(6) acres are fallow. The crops include white and red wheat (b)(6), (b)(7)(C). In the years (b)(6) through (b)(6), (b)(7) used Westbred (WB528) winter wheat and planted Rod winter wheat, but did not plant Coda Club or any Club style wheat. The varieties of wheat that were planted in (b)(6) through (b)(6) were a WB528 and Rod blend. In (b)(6) SY Ovation and Badger blend. The wheat seed (b)(6) was purchased at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) in bulk. (b)(6), (b)(7) does not plant wheat to produce seed or store grain on the premises. The grain is sold to (b)(6), (b)(7)(C) along with (b)(6), (b)(7)(C) grown on (b)(6), (b)(7). (b)(6), (b)(7)(C) had never planted Roundup Ready/glyphosate resistant wheat and is not aware of anyone that has. There is (b)(6) acres of G.M.O. (b)(6), at (b)(6), (b)(7)(C) has provided crop production services for (b)(6), (b)(7) years on the farm. His services include checking for weeds, taking soil samples and checking for rust. In (b)(6), (b)(6), (b)(7)(C) hired (b)(6), (b)(7)



(b)(6), (b)(7)(C) to plant (b)(6), wheat. (b)(6), (b)(7)(C) rents a small tractor, weed and fertilizer sprayers from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6),. The weed control used on the farm is Bromac, Quilt and Huskie herbicides with Liberate as a mixed surfactant and adjuvant. Winter Wheat solution 32 is the water soluble fertilizer used at (b)(6),. In early spring Roundup at (b) ounces per acre is sprayed and used on a summer fallow field for the next year crop which is planted in early Fall using city water.

(b)(6), (b)(7)(c) . In (b) there was a (b) (C) test plot of (b)(6), (b)(7)(C) . (b)(6), (b)(7)(C) (b) believes there may be additional test plots at (b)(6), (b) , (b)(6), (b)(7) and (b)(6), (b)(7)(C) , but he does not have knowledge of any in (b)(6), (b)(7)(C) .

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

(b)(6), (b)(7)(C)

6/20/13

(b)(6), | | (b)(6),
(b)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, (b)(6), (b)(7)(C). I can also be reached at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) @aphis.usda.gov.

I am responsible for conducting investigations related to APHIS programs and regulations. My duties in part are to conduct interviews, prepare sworn affidavits, collect physical and documentary evidence, and prepare written investigative reports.

On June 21, 2013, I met (b)(6), (b)(7)(C) at a local café in (b)(6), (b)(7)(C) to conduct an interview. I introduced myself as an investigator employed by the United States Department of Agriculture. Additionally, he was informed the USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. Furthermore, I explained to him that USDA investigators were presently interviewing growers in the area for the purpose of determining if this was an isolated incident or a more widespread one.

(b)(6), (b)(7)(C) was aware of the Oregon detection and provided the following information regarding his Farming practices. (b)(6), (b)(7)(C) is the owner and operator (b)(6), (b)(7)(C). He has been in business since (b)(6), (b)(7)(C) but does not have corporation status. (b)(6), (b)(7)(C). He has never observed glyphosate resistant wheat growing in his fallow fields after spraying. Moreover, he is not aware of neighboring farmers having the issue now or in the past. (b)(6), (b)(7)(C) owns (b)(6), (b)(7)(C) acres and leases (b)(6), (b)(7)(C) acres. There is approximately (b)(6), (b)(7)(C) acres of wheat planted each year at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) acres are fallow. In the years (b)(6), (b)(7)(C) through (b)(6), (b)(7)(C) used Westbred (WB528) winter wheat and planted Rod winter wheat, but did not plant Coda Club or any Club style wheat. The varieties of wheat that were planted in (b)(6), (b)(7)(C) were a WB528, Rod, Xerphia, Skiles and 102 ORCF blend. The wheat seed was purchased at (b)(6), (b)(7)(C) in bulk. (b)(6), (b)(7)(C) does not plant wheat to produce seed or store grain on the premises. The grain is sold to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) had never planted Roundup Ready/glyphosate resistant wheat and is not aware of anyone that has. (b)(6), (b)(7)(C) does use a field inspection for wheat control. Additionally, (b)(6), (b)(7)(C) does custom farming services for (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) does not rent farm equipment.

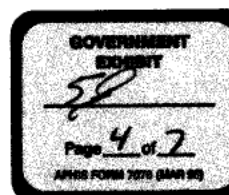
September (b) starts with a fallow field prepared with Round-up. This is repeated in March and April. May (b) fields is fertilized and tilled and planted in September. The weed control used on the farm is Bromac and Huskie herbicides with Liberate as a mixed surfactant and adjuvant. Choice and Ultra Pro is the water soluble fertilizer used at (b)(6), (b). In early spring Roundup at (b)(6), ounces per acre is sprayed and used on a summer fallow field for the next year crop which is planted in early fall using city water.

(b)(6), (b)(7) in (b)(6), (b)(7)(C) may have a test plot, but he does not have knowledge of any Monsanto controlled test plots.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

(b)(6), (b)(7)(C)

(b)(6),
(b)(7)(C)



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, (b)(6), (b)(7)(C). I can also be reached at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) aphis.usda.gov.

I am responsible for conducting investigations related to APHIS programs and regulations. My duties in part are to conduct interviews, prepare sworn affidavits, collect physical and documentary evidence, and prepare written investigative reports.

On June 26, 2013, I met (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) to conduct an interview. I introduced myself as an investigator employed by the United States Department of Agriculture. Additionally, she was informed the USDA is currently conducting an investigation pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. Furthermore, I explained to her that USDA investigators were presently interviewing growers in the area for the purpose of determining if this was an isolated incident or a more widespread one.

(b)(6), (b)(7) was aware of the Oregon detection and provided the following information regarding her test plot practices from (b)(6), (b)(7)(C). (b)(6), (b)(7) has been a (b)(6), (b)(7)(C) since (b)(6), (b)(7)(C). Her contact information is (b)(6), (b)(7)(C). Mailing address is (b)(6), (b)(7)(C). (b)(6), (b)(7) has kept records for the field test plots, but the information is stored in a box that she has been unable to locate. The box has her field notes, maps and the lat/long location of the test plots. (b)(6), (b)(7) agreed to notify APHIS when she locates the box at (b)(6), (b)(7). The following persons were involved with the test plots.

(b)(6), (b)(7)(C)

(b)(6), (b)(7) was responsible for coordinating activities and training. (b)(6), (b)(7)(C) from (b)(6), (b)(7) conducted inspections on the plants and equipment as well as site visits. (b)(6), (b)(7) does not recall BRS, PPQ or the state visiting the test plots. Precautions taken to prevent the cross pollination of neighboring fields was a fallow field that was kept a year longer than required. The equipment was blown out with an air compressor three times. The header was

taken off and a shop vacuum was used with a tarp placed under the equipment. The paper bags were burned. The plant material was stored inside two paper bags and placed in plastic containers (Tupperware) and stored at (b)(6), in the seed house. There were no volunteers, (b)(6) was responsible for monitoring the fields and followed up after harvest. The field was cultivated with a double disc and there was no spillage. A small plot combine was used to harvest. (b)(6) does not use a seed line. There were multiple generations possibly (b)(6) generations. The paperwork from (b)(6), (b)(6) and (b)(6) is in storage, but (b)(6), (b)(6) will contact APHIS when she locates the box she stored her documentation from (b)(6), (b)(6). The harvested material was spread on the surface and mowed. The grain was tilled and buried (b)(6) feet or sent to (b)(6), (b)(6).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

(b)(6), (b)(7)(C)

(b)(6)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg. B-(b)(6), (b)(7)(C) Fort Collins, Colorado 80526, (b)(6), (b)(7)(C). I can also be reached at (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) @aphis.usda.gov.

I am responsible for conducting investigations related to APHIS programs and regulations. My duties in part are to conduct interviews, prepare sworn affidavits, collect physical and documentary evidence, and prepare written investigative reports.

On 6/20/13, Investigator (b)(6), (b)(7)(C) transferred the (b)(6), (b)(7)(C) file to me before she traveled back to her (b)(6), (b)(7)(C). On June 6/20/13, 6/22/13 and 6/24/13, I attempted to contact (b)(6), (b)(7)(C) to conduct an interview at his home address; (b)(6), (b)(7)(C). The following phone numbers were disconnected (b)(6), (b)(7)(C). I left a message for (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) contacted me on 6/24/13 and said he did not have knowledge of (b)(6), (b)(7)(C) and he has had the same phone number for years.

On 6/27/13, I received the following number from IES Intel (b)(6), (b)(7)(C) left message. The answering machine outgoing message has (b)(6), (b)(7)(C) name.

I placed my business card on the door and/or his truck on the dates listed above.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C) being duly sworn on oath make the following statement:

To (b)(6), (b)(7)(C) who has identified himself as an Investigator with the USDA, Animal and Plant Health Inspection Service, Investigative Enforcement Services. I give this statement willfully without promise of reward.

I provided the following information to Investigator (b)(6), (b) and Investigator (b)(6), (b)(7)(C) on June 5, 2013 an affidavit was prepared on my behalf and signed on June 11, 2013.

I am a commercial wheat farmer and have been producing certified wheat seed and grain since

(b)(6) I can be contacted at (b)(6), (b)(7)(C). I farm approximately (b)(6), acres. Of this I own (b)(6) acres and lease the remaining (b)(6) acres. I farm with my (b)(6), (b)(7)(C) who farms under the name (b)(6), (b)(7)(C). We utilize (b)(6), (b)(7)(C) as our field consultant. (b)(6), (b)(7)(C) resides in the (b)(6), (b)(7)(C) area and can be contacted at (b)(6), (b)(7)(C).

I have had one issue with Round Up resistant wheat and that was in (b)(6). The affected patch was located in a ditch between (b)(6), (b)(7)(C). The patch was approximately (b)(6), (b)(7)(C) feet long and because of its location cannot be reached by a plow. The suspect wheat was hand sprayed three times over a three week period during late April and early May with a solution of 48 ounces of Round Up per 26 gallons of water. The wheat showed a little weakness and burning from spraying but nothing else and was subsequently hand pulled (approximately (b)(6) plants), packed out, and burned. At the time of removal the wheat did not yet have a head. The suspect wheat was never sent in for testing and I did not talk to my field consultant about it. The suspect patch is located at the following GPS coordinates: (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C)

Subscribed and sworn to before me at

(b)(6), (b)(7)(C)

On this 11 day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

(b)(6), (b)(7)(C)



217 TO
MATIONS,

AUTHORITY NO. 5581

OR120018_BR_002479

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

Nature of Your disclosure of Information

Disclosure of information solicited by APHIS is voluntary.

Principle Purpose For Which The Information is Solicited

The principle purpose for which the information is solicited is for use in prosecutions and proceedings under or in the enforcement of laws and regulations administered by APHIS.

Routine Uses Which May be Made of the Information

The routine uses which may be made of the information are:

(1) Referral to a Federal, State, local or foreign agency charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the law or any rule, regulation or order issued pursuant to the law when the information indicates a violation or potential violation of law. (2) Disclosure to the Department of Justice for use in litigation under circumstances specified in USDA, APHIS Privacy Act Systems of Record published in the Federal Register. (3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear under circumstances specified in USDA, APHIS Privacy Act Systems of Records published in the Federal Register. (4) Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual who provided the information. (5) Referral to State Animal Health officials or State veterinary examining boards to certify that a particular individual is an accredited veterinarian.

Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

AFFIDAVIT

I, (b)(6), (b)(7)(C) being duly sworn on oath make the following statement:

As there was only a small patch along the road and no other areas in the field it is my belief that the wheat came off of a truck or washed off of the road. Since this incident I have had no other issues with herbicide resistant wheat.

(b)(6), (b)(7)(C) has leased and farmed the field with the suspect wheat since (b)(6). The field is only planted (b)(6), (b)(7)(C) and was planted with either Tubbs, Rod, or Stevens in (b)(6). Since then the field was planted with Tubbs in (b)(6), (b)(7)(C) and with Skiles in (b)(6).

Prior to (b)(6), (b)(7)(C) I grew my own seed from foundation seed that was purchased from (b)(6), (b)(7)(C). Foundation seed is a pure seed stock grown by or under the supervision of a public agency for use in the production of registered and certified seed. As part of this program my fields were inspected once a year by the (b)(6), (b)(7)(C). However, I no longer know where the copies of my seed certification and seed lot information are. I had all of this seed cleaned and treated by (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) can be contacted at (b)(6), (b)(7)(C).

In the remainder of my fields over the last four years I have planted the following varieties of wheat: Rod, Clearfield 102, (b)(6), (b)(7)(C) but with (b)(6), (b)(7)(C). Since I stopped using my own seed I purchase it in bulk from which ever seller has the best price. We pick up all of the purchased seed in freshly cleaned trucks. I also price shop for my herbicides and surfactants but purchase most of them from (b)(6), (b)(7)(C). Almost all of my fields are summer fallowed but the ones that aren't are chem-fallowed by spraying a blend (b)(6) ounces of Round Up and (b)(6) ounces of Banvil per acre at (b)(6) miles per hour.

(b)(6), (b)(7)(C)

SIGNATURE OF AFFIANT

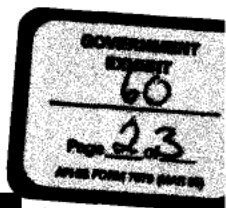
Subscribed and sworn to before me at

(b)(6), (b)(7)(C)

On this 11 day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

AD



(b)(6), (b)(7)(C)

OR120018_BR_002481

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

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Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

AFFIDAVIT

I, (b)(6), (b)(7)(C) being duly sworn on oath make the following statement:

All of our farming is done on non-irrigated land. Our fields are generally planted to the edge and then we spray and kill (b)(6), (b)(7) feet to give us a nice consistent border. After harvest the field is disked, tine tooth harrowed, cross harrowed, and then left through winter.

In the spring the field is then sprayed with RT3, cross harrowed in a different direction, fertilized with anhydrous through a ripper shooter, and cultivated with a field cultivator. The field is then aerial sprayed with a consultant recommended herbicide blend of Husky, Rhonox, Tilt, Quadris, and Sticker.

I first plant my seed fields and then clean all of the equipment out prior to planting my grain fields. When it is time to harvest I harvest seed grain fields first and then do a flush of the combine with some of the seed stock which I also sell as grain to ensure no grain stock gets mixed in with my seed stock. After harvest the finished product either seed or grain is sold to (b)(6), (b)(7)(C) The seed is sold as either certified or registered seed.

I have read the above statement consisting of three pages and it is true and correct to the best of my knowledge. I have been given the opportunity to makes changes, additions, and/or corrections.

(b)(6), (b)(7)(C)

SIGNATURE OF AFFIANT

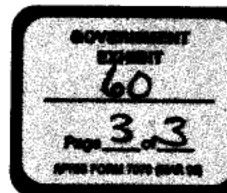
Subscribed and sworn to before me at

(b)(6), (b)(7)(C)

On this 11 day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

(b)(6), (b)(7)(C)



OR120018_BR_002483

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

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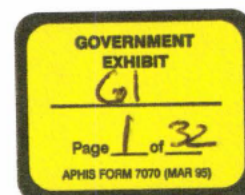
Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0149.JPG

(b)(6), (b)(7)(C)



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-67

DATE OF PHOTOGRAPH: 06/06/2013

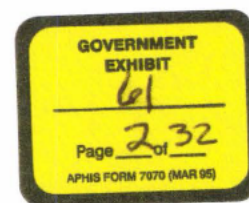
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002485

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0154.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-67

DATE OF PHOTOGRAPH: 06/06/2013

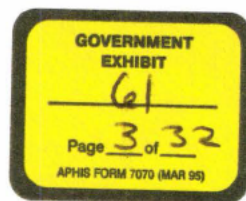
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002487

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0157.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-68

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002489

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0158.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-68

DATE OF PHOTOGRAPH: 06/06/2013

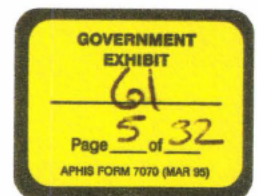
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002491

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0163.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-69

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002493

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0165.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

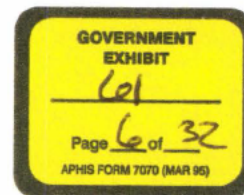
DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-69

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013



OR120018_BR_002495

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0170.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-70

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002497

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0173.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-70

DATE OF PHOTOGRAPH: 06/06/2013

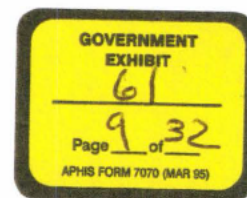
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002499

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0180.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-71

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013

OR120018_BR_002501

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0182.JPG



LOCATION: N4 (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-71

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

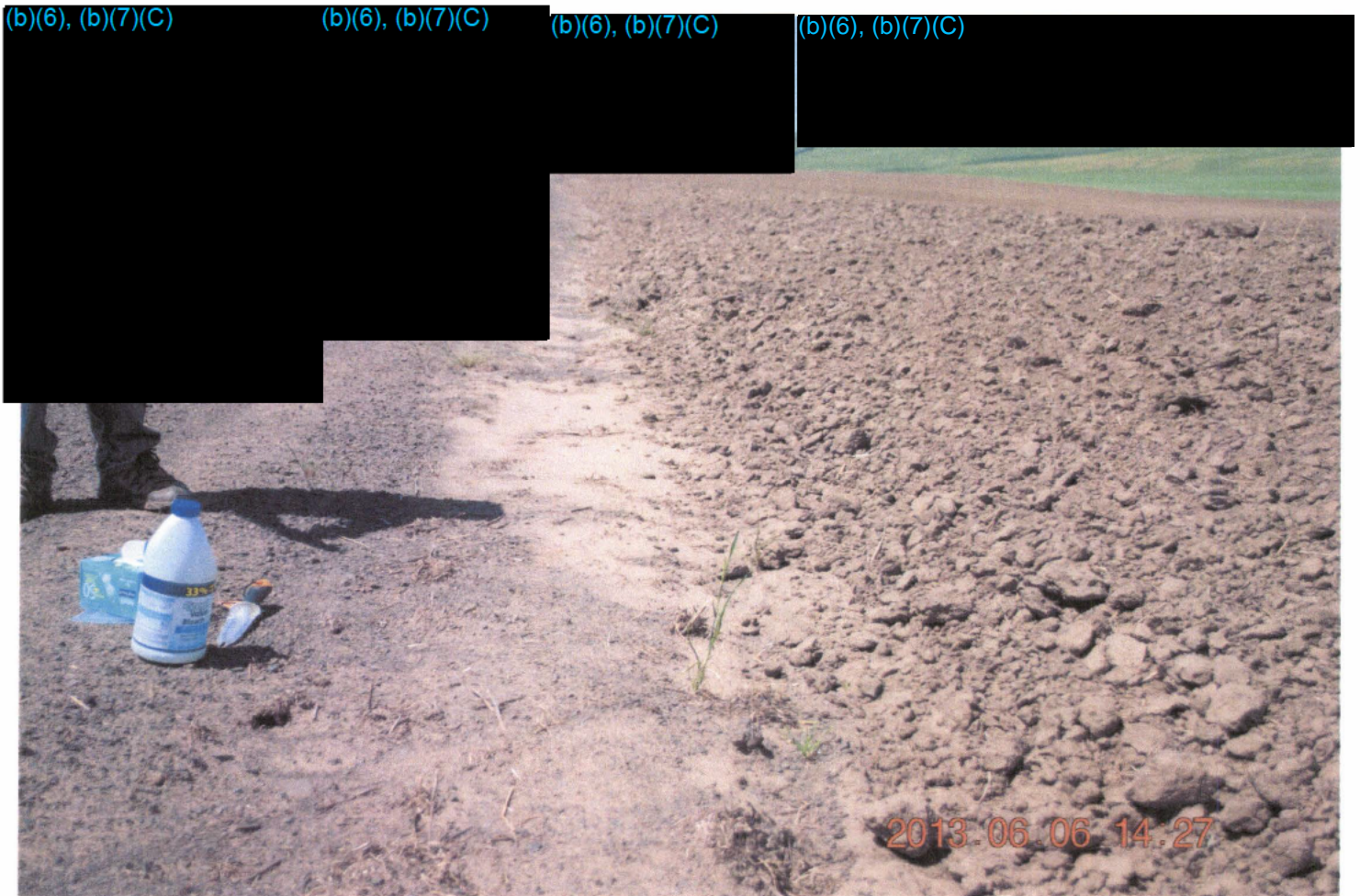
SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013

OR120018_BR_002503

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0183.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-72

DATE OF PHOTOGRAPH: 06/06/2013

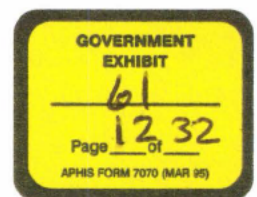
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002505

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0187.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-72

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

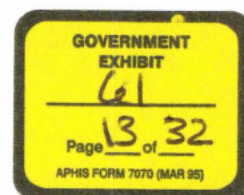
SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002507

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0195.JPG

(b)(6), (b)(7)(C)



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-73

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002509

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0199.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-73

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013

OR120018_BR_002511

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0204.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-74

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013



OR120018_BR_002513

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0206.JPG

(b)(6), (b)(7)(c)



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-74

DATE OF PHOTOGRAPH: 06/06/2013

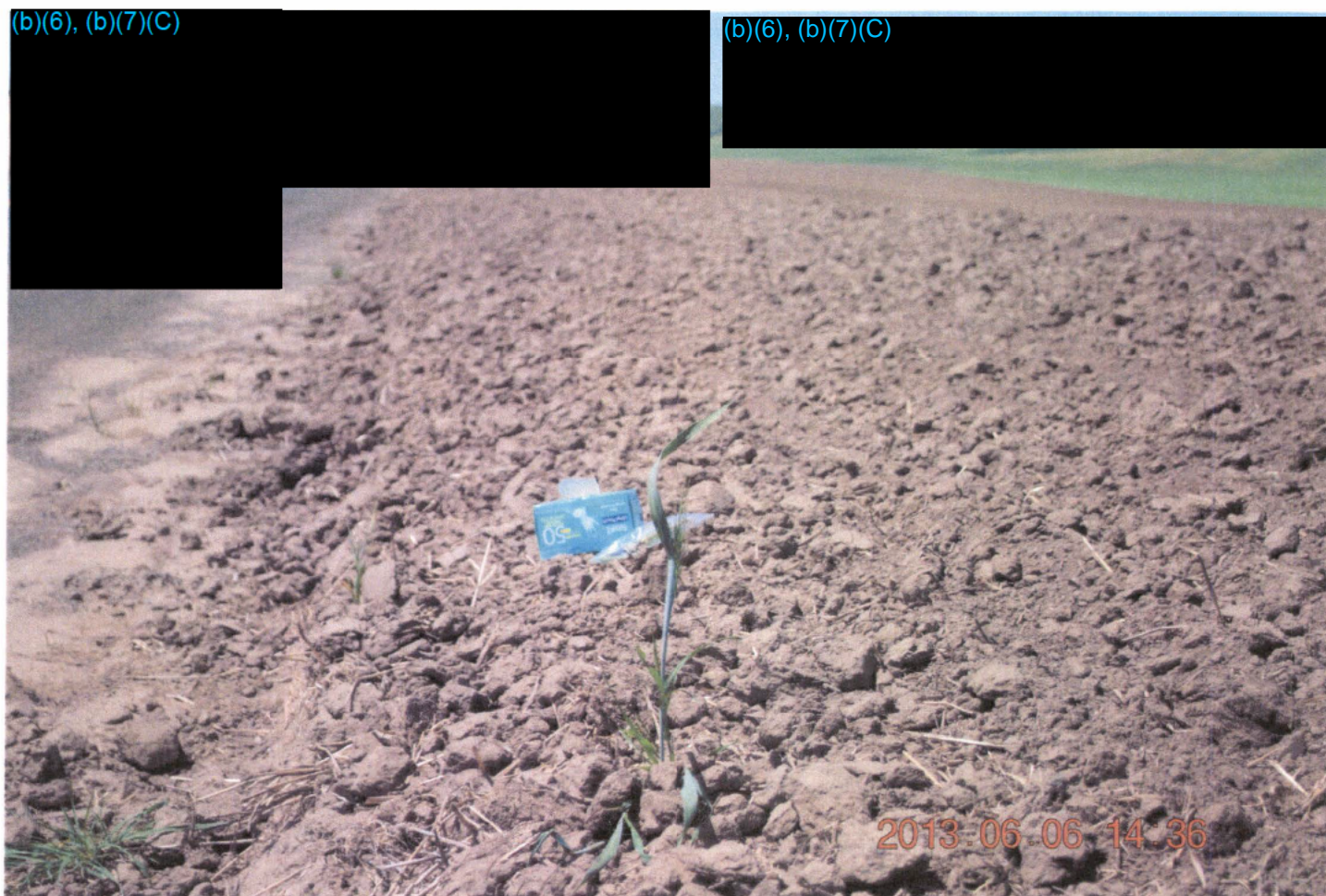
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002515

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0213.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-75

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013

OR120018_BR_002517

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0217.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-75

DATE OF PHOTOGRAPH: 06/06/2013

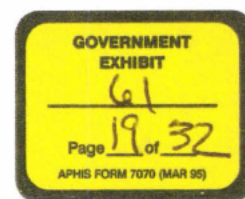
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002519

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0220.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-75

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013

OR120018_BR_002521

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0225.JPG



LOCATION: (b)(6), (b)(7)(C)

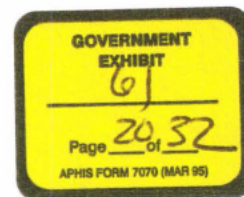
EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-75

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/10/2013



OR120018_BR_002523

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR
DISK/CD NO: OR130018-BR-152
FILE NO: DSC_0225.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: Location and collection of wheat sample OR130018-BR-75

DATE OF PHOTOGRAPH: 06/06/2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/10/2013



OR120018_BR_002525

Drop-Off Package Receipt: 1 of 1

THIS IS NOT A SHIPPING LABEL. PLEASE SAVE FOR YOUR RECORD.

(b)(6), (b)(7)(C)

DROP-OFF DATE/TIME:
Thu 6 Jun 2013 3:13 PM

ESTIMATED PICKUP DATE:
UPS (Air) Thu 6 Jun 2013 1 pkg

CUSTOMER:

(b)(6)

ID Type: Not Provided

TOTAL PACKAGES:

1 pkg

TRACKING NUMBER CARRIER & SERVICE

Wt (lbs)

(b)(6), (b)(7)(C) UPS Next Day EAM

7.500

(b)(6), (b)(7)(C)

This receipt lists each package received by UPS CC (b)(6), (b)(7)(C) and indicates that the information for each package has been transmitted to each carrier's data system. This receipt is not confirmation that the carrier has picked up the package. To verify when and if a package has been picked up, go to ship.com/trackit/track.asp and enter the tracking numbers listed above.

You acknowledge that the shipment services provided by UPS CC WALLA WALLA WA for the listed packages are subject to and governed by each Carrier agreement. If applicable, the Rates and Service Guide for each carrier, and the tariff in effect at the time of shipment.



Powered by iShip(r)
06/06/2013 03:13 PM Pacific Time



SEE NOTICE ON REVERSE regarding UPS Terms, and notice of limitation of liability. Where allowed by law, ship.com authorizes UPS to act as forwarding agent for export content and ship.com is not responsible for any loss or damage to the US, shippers certify that the commodities, technology or services were exported from the US in accordance with the Export Administration Regulations. Shippers certify to be prohibited.

OR120018_BR_002527

United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-67 1 Wheat sample on the fallow edge of a field (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-67 (b)(6), (b)(7)(C)	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6/6/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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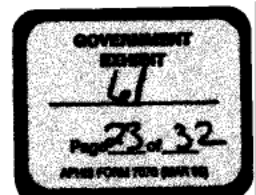
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

Page 1

OR120018_BR_002529



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-68 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-68 (b)(6), (b)(7)(C)	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)		6/6/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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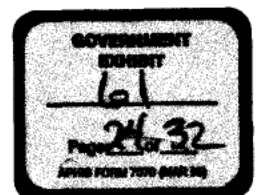
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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OR120018_BR_002531



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-69 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-69 (b)(6), (b)(7)(C)	George A. Bruno (b)(6), (b)(7)(C)	06/06/13	(b)(6), (b)(7)(C)	6-6-13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6/6/13	(b)(6), (b)(7)(C)	

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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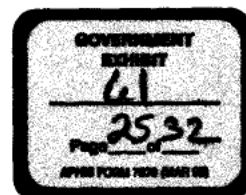
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-70 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-70	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6/6/13	(b)(6), (b)(7)(C)	

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

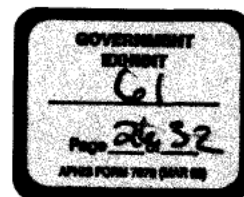
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-71 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-71 (b)(6), (b)(7)(C)	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)		6/6/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-72 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-72	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6/6/13	(b)(6), (b)(7)(C)	

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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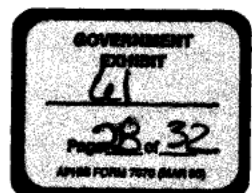
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[REDACTED]

3. Location where property was acquired

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[REDACTED]

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-73 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-73 (b)(6), (b)(7)(C)	George A. Bruno (b)(6), (b)(7)(C)	06/06/13	(b)(6), (b)(7)(C) [REDACTED]	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	[REDACTED]	6/6/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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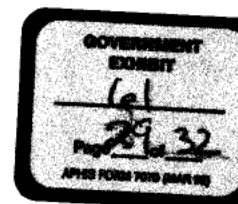
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item No. Quantity Description of Articles
Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-74 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-74 (b)(6), (b)(7)(C)	George A. Bruno	06/06/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)		6/6/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No.

Quantity

Description of Articles
Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-75 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

OR130018-BR-75 George A. Bruno 06/06/13

(b)(6), (b)(7)(C)

6/6/13

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

(b)(6), (b)(7)(C) 6/6/13

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

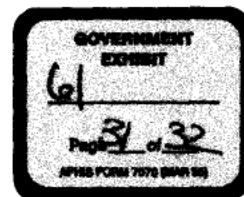
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Sign and Print Name

Control number or name OR130018-BR

Page 1

OR120018_BR_002544



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

George A. Bruno, Domestic Program Coordinator

Receiver's Office and Location

USDA-APHIS-PPQ
222 N. Havana, Rm. 109
Spokane, WA 99202

2. Full Name and Address of Person furnishing property

Owner (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

4. Date of acquisition: Thursday, June 6, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-76 1 Wheat sample on the fallow edge of a field along (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-76 (b)(6), (b)(7)(C)	George A. Bruno (b)(6), (b)(7)(C)	06/06/13	(b)(6), (b)(7)(C) (b)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	6/6/13	(b)(6), (b)(7)(C)	

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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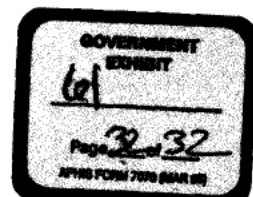
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Control number or name OR130018-BR

Page 1

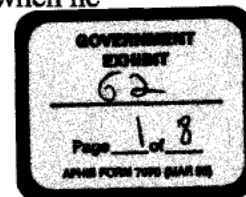
OR120018_BR_002546



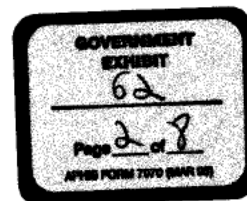
DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C) My office address is 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, and office phone number is (b)(6), (b)(7)(C) I can also be reached by cell at (b)(6), (b)(7)(C) and/or by email at (b)(6), (b)(7)(C) aphis.usda.gov.
2. As an investigator, I am responsible for conducting investigations related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.
3. On June 4, 2013, I interviewed (b)(6), (b)(7)(C) at his residence/farm. Upon my arrival I introduced myself to (b)(6), (b)(7) as an investigator employed by the U.S. Department of Agriculture. I informed (b)(6), (b)(7) that USDA is currently conducting an investigating pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b)(7) indicated he was unaware of the detection, so I provided a copy of the May 29, 2013 USDA News Release. I explained to (b)(6), (b)(7) that USDA investigators are interviewing growers in the area about their wheat crops and farming procedures in order to try and determine if the detection of GE wheat in Oregon is an isolated event or might be more wide spread. (b)(6), (b)(7) agreed to be interviewed.
4. During the interview, (b)(6), (b)(7) confirmed his previous addresses were (b)(6), (b)(7)(C) . He provided his cell phone number as (b)(6), (b)(7)(C) . He stated he has been an (b)(6), (b)(7) for the (b)(6), (b)(7)(C) . He claimed he also farms on the side and owns approximately (b)(6) acres. He stated he does not lease or lease-out any farm land. He stated about (b)(6), (b)(7)(C) of the acres is farmable. (b)(6), (b)(7) stated he has only been farming since (b)(6) . He stated he plants (b)(6), (b)(7) and wheat and he explained he plans on rotating the crops and/or allowing his wheat fields to rest every few years. He stated he has only been planting and harvesting wheat for a couple of years. He stated he plants wheat on about (b)(6), (b)(7) acres. (b)(6), (b)(7) claimed he does not use a field consultant for planting.
5. (b)(6), (b)(7) stated his first wheat crop was planted in fall (b)(6), (b)(7) and harvested in (b)(6) . He stated in (b)(6) he planted West Bred (WB) 528 winter wheat. (b)(6), (b)(7) explained he believed the wheat seed was blended with another variety, possibly WB 519; but, he was very unsure about it and he could not locate his paper work for the seed. He claimed the seed was purchased from (b)(6), (b)(7)(C) (b)(6), (b)(7) (b)(6), (b)(7) explained that he has leftover WB 528 (approximately (b)(6) lbs) seed and he agreed to provide a sample of if requested. He stated the seed was purchased in bulk and it was in a very large sack when he



- picked it up from (b)(6). He showed me the sack, which he had hanging from the rafters in his machine shed. The sack was a very large white fabric sack, which was covered in a plastic water-proof type coating. There was no labeling or tags on the sack for the seed.
6. (b)(6), (b)(7) stated his second wheat crop was planted in (b)(6), (b)(7). He stated he planted Dark Northern Spring (DNS), hard red wheat. He claimed this wheat seed was a blend of (b)(6), (b)(7)(C). He claimed he purchased this seed from (b)(6), in bulk and picked it up himself. He stated the seed was bagged in the same manner as the WB 528. He stated he has not planted any other variety of wheat except for the WB 528 and DNS blends. (b)(6), (b)(7) was not able to provide any information pertaining to where the varieties of seed were grown, who was the grower, or how it was handled.
 7. (b)(6), (b)(7) explained he used his own truck to pick up the wheat seed from (b)(6). He stated his truck was cleaned prior to hauling the seed. In addition, he explained contamination of the seed is highly unlikely because it was in a large sack, which was sealed.
 8. According to (b)(6), (b)(7) all his wheat is planted on irrigated farm ground. He stated he does not plant on dry-land ground. He stated he discs his land prior to planting. He explained he uses his own drill for planting wheat. He stated he cleans his drill by using an air compressor to blow out all debris.
 9. In regards to weed control, (b)(6), (b)(7) stated he uses various blends of herbicides. He explained (b)(6), (b)(7) has a chemical applicator license and provides him guidance in regards to which herbicides to use and when to use them. He stated he has used Roundup herbicide to kill weeds around his house, but has not used it on his fields. He stated to control weeds during the growing season he uses various grass and broad leaf weed killers. He stated the last herbicides he used was a blend of Starane NXT, Express with Total Solution, and Pure and Simple. He claimed he purchases his herbicides from the (b)(6), (b)(7)(C). He claimed he rotates herbicides based on his planting and by the recommendations he receives from (b)(6), (b)(7). He stated he has never had an issue with wheat volunteers after using any type of herbicides, and explained he has never had a reason to contact his county extension agent about wheat not being killed by glyphosate.
 10. In regards to application of herbicides, (b)(6), (b)(7) explained he usually treats his wheat fields when the plants are approximately (b)(6), (b)(7) inches tall. He stated he applies the herbicides with a ground sprayer, which he owns. He claimed he has never used his ground sprayer to apply Roundup. He stated his sprayer is cleaned with water in between uses and he claimed he has not used any type of neutralizers. He stated the herbicides used in his fields are mixed with the correct ratio of chemicals to well water. He stated he does not use any additional additives, stabilizers, or surfactants when preparing the herbicide.
 11. According to (b)(6), (b)(7) he does all his farming himself, except for combining. He stated he owns the drill he uses for planting, and he explained he hires a local contractor to combine his fields. He claimed his drill has only been used on his fields and he has not loaned it out to other farmers. He stated his drill is cleaned in between planting using an air compressor to blow-out all debris.



12. In regards to his (b)(6) wheat harvest, he does not recall the name of the person who combined his fields. He stated this has been his only wheat harvest and he could not provide any information about the combine that was used because it is not his. He stated he is confident the combine was appropriately cleaned prior to being used to harvest his wheat. He stated he cuts and bales his own (b)(6). He stated all his wheat is sold to (b)(6). He explained (b)(6), pick-ups the harvested wheat and hauls it directly to the port. He claimed he did not keep samples of his wheat grain or keep anything back for replanting. In addition, he stated he does not store grain on his farm. He stated after harvest he discs under the wheat straw and chaff.
13. (b)(6), (b)(7) reiterated that he has not had a problem with wheat volunteers and claimed he has not heard of anyone else who has. He stated the only equipment that has come onto his fields is his own, the combine described above, and the truck owned by (b)(6), that is used to pick-up his wheat harvest. (b)(6), (b)(7) claimed he has not had any type of test plots on his farm. In addition, he claimed he does not know of any test plots in the area.
14. On June 5, 2013, I called (b)(6), (b)(7) in order to determine if he would provide a sample of the seed he has left over from his (b)(6) planting. (b)(6), (b)(7) agreed to provide a sample and arrangements were made to pick it up later in the day. I arrived at his farm around 3:00 P.M. Upon my arrival (b)(6), (b)(7) informed me that (b)(6), (b)(7)(C) [REDACTED].
- We proceeded to his machine shed to collect the wheat seed sample from the large hanging sack. (b)(6), (b)(7) cut a small hole in the upper portion of the sack and retrieved the seed and placed it in the Ziploc bag provided. Afterwards, I sealed the bag with Duck tape in front of (b)(6), (b)(7). I also took digital photographs, using a Nikon D60 camera, of the seed sack, the sample, and of the Bill of Lading, which was attached to the seed sack. A Chain of Custody (OR130018-BR-65) was also completed to show (b)(6), (b)(7) relinquished the sample to me.
15. The photographs were uploaded onto my computer and then labeled appropriately. The original and labeled images were burned onto a compact disc and a Chain of Custody was created. The Ziploc bag containing the sample was labeled with Item No. OR130018-BR-65, the variety of seed, the grower's name and address, the collector, and collection date. The sample was then triple bag and sealed. The sample and the disc were relinquished to USDA, APHIS, IES, Investigator (b)(6), (b)(7)(C) as indicated by the Chain of Custodies.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator (b)(6), (b)(7), USDA, APHIS, IES



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO: 1

FILE NO: DSC_0009

STRAIGHT BILL OF LADING—SHORT FORM—Original—Not Negotiable

76843

CARRIER Express CUSTOMER NO. 42300-4

(b) (4) 5-9-12 20 FROM (b) (4)

CONSIGNEE TO (b) (4)

CONSIGNEE (b) (4) STATE (b) (4)

DELIVERY ADDRESS (b) (4)

BILLING ADDRESS (b) (4)

DELIVERING CARRIER CAN OR VEHICLE INITIALS P.O. NO.

QTY	PKGS.	AND OR PACKAGE DESCRIPTION OF ARTICLES, SPECIAL MARKS AND/OR OPTIONS	WEIGHT (GROSS TO GROSS)	CLASS OR RATE	CH. GDS.
		Poly Propylene Bulk Bags	900 #	55	
		1 Pallet:			
		175-35 x 35 x 50 DT/SS 240gsm			
		"Freight Prepaid"			

104-22434 0

EX-PRESS

1

(b) (6), (b) (7) (C) (b) (6), (b) (7) (b) (7) (b) (4)

(b) (4)



Location: (b) (6), (b) (7) (C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows close-up of Bill of Laden, which was attached to the wheat seed sack (containing West Bred 523/528) hanging in (b) (6), (b) (7) (b) (6), (b) (7) (c).

Date of photograph: 06/05/13

Printed name and title: (b) (6), (b) (7) (C) USDA, APHIS, IES Investigator

Signature or photographer: (b) (6), (b) (7) (C) Date: 6/5/13

OR120018_BR_002554

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO: 1

FILE NO: DSC_0010



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows seed sample collected from wheat seed sack (containing West Bred 523/528) hanging in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Date of photograph: 06/05/13

Printed name and title: (b)(6), (b)(7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7)(C) Date: 6/5/13

OR120018_BR_002556



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO: 1

FILE NO: DSC_0007



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows sack hanging in (b)(6), (b)(7) (b)(6), (b)(7)(c) which contains wheat seed (West Bred 523/528) that he planted in the fall (b)(6),

Date of photograph: 06/05/13

Printed name and title: (b)(6), (b)(7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7)(C)

Date: 6/5/13

OR120018_BR_002558



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD-NO: 1

FILE NO: DSC_0008

STRAIGHT BILL OF LADING—SHORT FORM—Original—Not Negotiable

76843

CARRIER *Express* CUSTOMER NO. *42300-4*

(b) (4) 5-9-12 20 FROM (b) (4)

COMMODITY TO (b) (4)

DELIVERY ADDRESS (b) (4)

WILLING ADDRESS (b) (4)

DELIVERING CARRIER (b) (4)

CALL OR VEHICLE NOTALS: PD NO:

NO. IN PKGS.	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS AND EXCEMPTIONS	WEIGHT GROSS TO GUN	CLASS OF	DATE
	<i>Poly Propylene Bulk Bags</i>	<i>900 #</i>	<i>55</i>	
<i>1</i>	<i>Pallet</i>			
	<i>175 - 35 x 35 x 50 DTY/58 240gm</i>			
	<i>"Freight Prepaid"</i>			

104-22434 0

EXPRESS

(b) (4) (b) (6), (b) (7)(C) (b) (4) (b) (7)

Location: (b) (6), (b) (7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows Bill of Laden, which was attached to the wheat seed sack (containing West Bred 523/528) hanging in (b) (6), (b) (7) (b) (6), (b) (7)(c)

Date of photograph: 06/05/13

Printed name and title: (b) (6), (b) (7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b) (6), (b) (7)(C) Date: 6/5/13

OR120018_BR_002560



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C) Investigator
USDA APHIS IES

Receiver's Office and Location

2150 Centre Ave
Bldg. B-3W10
Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Wednesday, June 5, 2013

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No.	Quantity	Include specimen no., serial no., seal no., identifying marks, and condition when appropriate
OR130018-BR-65	1	Seed Sample West Bred 523/528
		Weight:

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-65	(b)(6), (b)(7)(C)	06/05/13	(b)(6), (b)(7)(C)	06/05/13

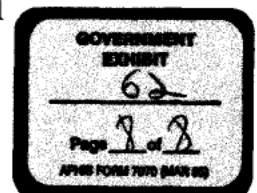
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-65	(b)(6), (b)(7)(C)	6/4/13	(b)(6), (b)(7)(C)	6/6/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-65	(b)(6), (b)(7)(C)	6/6/13	(b)(6), (b)(7)(C)	

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

Page 1



OR120018_BR_002562

DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

I am an Investigator with USDA, Animal and Plant Health Inspection Services (APHIS), Investigative and Enforcement Services (IES), stationed in Nebraska. I have been employed with IES since (b)(6), (b)(7)(C)

On June 11, 2013 I contacted (b)(6), (b)(7) of the (b)(6), (b)(7)(C) at (b)(6), (b)(7). Unfortunately (b)(6), (b)(7) was unable to answer my questions and told me to contact (b)(6), (b)(7)

On June 11, 2013 I contacted (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) is the (b)(6), (b)(7)(C) of (b)(6), (b)(7)(C) and can be contacted at (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated that all of the seed they purchase is subsequently sold in bulk to their customers. (b)(6), (b)(7)(C) also stated that with the exception of one or two deliveries there customers all pick up their own seed. Furthermore, (b)(6), (b)(7)(C) does not know of any customers that have had any issues with volunteers or herbicide resistant wheat.

On June 18, 2013 I contacted (b)(6), (b)(7) at (b)(6), (b)(7)(C). I visited (b)(6), (b)(7) because he never got back to me about whether they still had any of the specified seed. (b)(6), (b)(7) stated he didn't know but that we could go find out. We drove to (b)(6), (b)(7)(C) and he checked the records. They no longer had any Rod or WB528 but they did have some Cuda Club seed remaining from (b)(6), (b)(7)(C). A sample of the Coda Club was double bagged in Ziploc bags. A Chain of Custody form was not available on the 18th so I returned on the 19th at which time (b)(6), (b)(7)(C) reviewed the information, signed the form, and made a photocopy for his records.

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on 6/20/2013.

(b)(6), (b)(7)(C)

OR120018_BR_002564



OR120018_BR_002566

Item	Description	Customer	Customer	INV DT	Invoice	Company	Company	Customer	State	ZIP 1	Phone
Number		Number	Lookup Name		Number	Address 1	Address 2	City			Number
49109	(b)(6), (b)(7)(C)										
49116											
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Item	Description	Customer	Customer	INV DT	Invoice	Company	Company	Customer	State	ZIP 1	Phone
Number		Number	Lookup Name		Number	Address 1	Address 2	City			Number
49131	(b)(6), (b)(7)(C)										
49128											
49128											
49116											
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OR120018_BR_002568



Drop-Off Package Receipt: 1 of 1

THIS IS NOT A SHIPPING LABEL. PLEASE SAVE FOR YOUR RECORDS.

DROP-OFF LOCATION:

(b)(6), (b)(7)(C)

DROP-OFF DATE/TIME:

Mon 24 Jun 2013 3:22 PM

ESTIMATED PICKUP DATE:

UPS (Air) Mon 24 Jun 2013 1 pkg

CUSTOMER:

Not Provided

ID Type: Not Provided

TOTAL PACKAGES:

1 pkg

TRACKING NUMBER

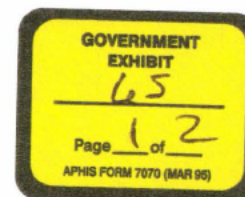
(b)(6), (b)(7)(C)

CARRIER & SERVICE

UPS Next Day

wt (lbs)

2.150



This receipt lists each package received by The UPS Store (b) and indicates that the information for each package has been transmitted to each carrier's data system. This receipt is not confirmation that the carrier has picked up the packages. To verify when and if a package has been picked up, enter one of the following web addresses in your browser and enter the tracking numbers listed above. <http://theupsstore.com> (select Tracking, then enter Tracking #). You acknowledge that the shipment services provided by The UPS Store (b) for the listed packages are subject to and governed by each Carrier Agreement, if applicable, the Rates and Service Guide for each carrier, and the tariff in effect at the time of shipment.

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GET YOUR SMALL BUSINESS TOOL KIT TODAY AND SAVE UP TO 40%
DISCOUNT ON COMBINED PURCHASE.

CUSTOMER ACKNOWLEDGEMENT: I acknowledge that the shipment services provided for the listed packages are subject to and governed by each Carrier Agreement, if applicable, the Rates and Service Guide for each carrier, and the tariff in effect at the time of shipment.

Signature:

Powered by iShip(r)

06/24/2013 03:22 PM Pacific Time



SEE NOTICE ON REVERSE regarding UPS Terms, and notice of limitation of liability. Where allowed by law, shipper authorizes UPS to act as forwarding agent for export control and customs purposes. If exported from the US, shipper certifies that the commodities, technology or software were exported from the US in accordance with the Export Administration Regulations. Diversion contrary to law is prohibited.

OR120018_BR_002570

United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7) Investigator

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: Sample obtained 06/18/13, paperwork not signed until 06/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-77 1 bag 2011 Coda club wheat (treated) seed purchased from (b)(6),

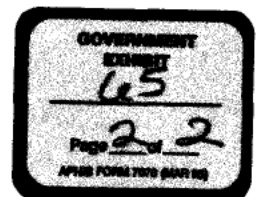
7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-77	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-77	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13 06/24/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-77	(b)(6), (b)(7)(C)			
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

Page 1

OR120018_BR_002572



DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen, and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am an investigator employed by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have held this position for approximately (b)(6), (b)(7)(C). My office address is 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, Colorado 80526, and office phone number is (b)(6), (b)(7)(C). I can also be reached by cell at (b)(6), (b)(7)(C) and/or by email at (b)(6), (b)(7)(C) @aphis.usda.gov.
2. As an investigator, I am responsible for conducting investigations related APHIS programs and regulations. Part of my duties as an investigator is to conduct interviews, take affidavits, collect physical and documentary evidence, and create investigative reports.
3. On June 11, 2013, I visited (b)(6), (b)(7)(C) located at (b)(6), (b)(7)(C). During the visit, I interviewed (b)(6), (b)(7)(C), the (b)(6), (b)(7)(C) of the (b)(6), (b)(7)(C). Upon my arrival, I introduced myself to (b)(6), (b)(7)(C) as an investigator employed by the U.S. Department of Agriculture. I informed (b)(6), (b)(7)(C) that USDA is currently conducting an investigating pertaining to the possible detection of genetically engineered (GE) glyphosate-resistant wheat in Oregon. (b)(6), (b)(7)(C) indicated he heard about the detection. I further explained to him that USDA investigators are interviewing (b)(6), (b)(7)(C) and growers in Washington, Oregon, and Idaho about their wheat seed sales, wheat crops, and farming methods. I told him the purpose of the interviews is to try and determine if the detection of GE wheat in Oregon is an isolated event or might be more wide spread. (b)(6), (b)(7)(C) agreed to answer my questions.
4. During the interview, (b)(6), (b)(7)(C) confirmed the (b)(6), (b)(7)(C) has sold West Bred (WB) 528, Rod, and Coda Club winter wheat over the last (b)(6), (b)(7)(C) years. He explained the seed was obtained from other (b)(6), (b)(7)(C). He claimed the (b)(6), (b)(7)(C) has not obtained or sold any Club style winter wheat. (b)(6), (b)(7)(C) stated the (b)(6), (b)(7)(C) keeps samples of all seed sold for at least (b)(6), (b)(7)(C) years. He agreed to provide (b)(6), (b)(7)(C).



samples of the WB528, Rod, and Coda Club for past (b)(6) years. He also agreed to provide the names and addresses of the growers that have purchased the variety of seeds from the (b)(6). (b)(6), (b)(7)(C) introduced me to (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) and stated he would be able to provide me with the requested samples and growers information. He explained it would take some time for (b)(6), (b)(7)(C) to put everything together. He stated all the (b)(6), (b)(6), (b)(7)(C) are attending a meeting over the next few days, so it would early next week before everything was ready to be picked-up. I gave (b)(6), (b)(7)(C) my contact information and told him I would contact him in a few days to make arrangements to pick-up the samples and information.

5. (b)(6), (b)(7)(C) stated most of the (b)(6), (b)(7)(C) customers do not use conventional farming methods. He stated a lot of them chem-fallow their fields. He stated many of their customers rotate their wheat crops with canola, barley, lentils, peas, and Garbanzo beans. He stated he has not heard of anyone experiencing problems with killing wheat volunteers. He explained if the growers were experiencing glyphosate resistance in wheat they would be complaining to the (b)(6), and wanting compensation for the chemicals not working properly. In regards to test plots, (b)(6), (b)(7)(C) stated the (b)(6), (b)(7)(C) has participated in wheat yield trials. He explained some of the trials were for Monsanto; however, none of them were Roundup Ready wheat trials.
6. At the conclusion of the conversation, I told (b)(6), (b)(7)(C) that I would contact him next week and I thanked him for his time.
7. On June 18, 2012, I contacted (b)(6), (b)(7)(C) as planned and I made arrangements to return to the (b)(6), (b)(7)(C) on June 19, 2013 to pick-up the samples and grower information. As scheduled, I met with (b)(6), (b)(7)(C) on June 19, 2013. (b)(6), (b)(7)(C) explained he created an Excel spreadsheet that contains all the information I requested about the growers who have purchased the varieties in question for the years of 2009, 2010, 2011, and 2012. He showed me the spreadsheet and saved it onto a thumb drive, which he gave to me. He also emailed the spreadsheet and instructions on how to read the seed lot numbers. In regards to the seed samples, (b)(6), (b)(7)(C) provided the following samples:

- Six Coda Club - clean, untreated, wheat seed samples for the years of 2009, 2010, 2011, and 2012. (b)(6), (b)(7)(C) obtained the seed from (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)



- Four Rod – clean, untreated, wheat seed samples for the years of 2009, 2010, 2011, and 2012. (b)(6), (b) obtained the seed from (b)(6), (b)(7)(C)
 - Four WB528 – clean, untreated, wheat seed samples for the years of 2009, 2010, 2011, and 2012. (b)(6), (b) obtained the seed from (b)(6), (b)(7)(C)
8. The samples were in Ziplock bags and labeled with the year, variety, and (b)(6), (b)(7) lot number. Chain of Custodies were created for each sample. I took digital photographs of all the samples using and Nikon D60 camera. (b)(6), (b) explained the (b)(6), (b)(7)(C)
- (b)(6), (b) (b)(6), (b)(7)(C) and (b) is (b)(6), (b)(7)(C)
9. After I left the (b)(6), the digital photographs were uploaded onto my computer, placed in a template, and labeled appropriately. Print-outs of the photos, the thumb drive containing the excel spreadsheet, and the samples were all provided to the primary investigator of case OR130018-BR.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 19, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator (b)(6), USDA, APHIS, IES
(b)(7)



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO:

FILE NO:

DSC 0018



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows Ziploc bags containing clean, untreated, wheat seed samples obtained from (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C). Bag 44/P39 (b)(4): 2009 Coda Club, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Bag 44/P39 (b)(4): 2009 Coda Club, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Bag 44/P30 (b)(4): 2010 Coda Club, originating from (b)(6), Bag 44/P31 (b)(4): 2011 Coda Club, originating from (b)(6),

Date of photograph: 6/19/13

Printed name and title: (b)(6), (b)(7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7)(C) Date: 06/19/13

OR120018_BR_002580



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO:

FILE NO:

DSC 0019



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows Ziploc bags containing clean, untreated, wheat seed samples obtained from (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C). Bag 44/P39 (b)(4): 2009 Coda Club, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Bag 44/P39 (b)(4) 2009 Coda Club, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Bag 44/P39 (b)(4) 2010 Coda Club, originating from (b)(6), (b)(7)(C) Bag 44/P39 (b)(4) 2011 Coda Club, originating from (b)(6), (b)(7)(C) Bag 44/P39 (b)(4)

Date of photograph: 6/19/13

Printed name and title: (b)(6), (b)(7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7) Date: 06/19/13

OR120018_BR_002582



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO:

FILE NO:

DSC 0020



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows Ziploc bags containing clean, untreated, wheat seed samples obtained from (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) Bag 44/R30 (b)(4) 2009 Rod, originating from (b)(6), (b)(7)(C) (b)(6), (b) Bag 44/R30 (b)(4): 2010 Rod, originating from (b)(6), Bag 44/R31 (b)(4) 2011 Rod, originating from (b)(6), Bag 44/R32 (b)(4) 2012 Rod, originating from (b)(6),

Date of photograph: 6/19/13

Printed name and title: (b)(6), (b)(7)(C), USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7)(C) **Date:** 06/19/13

OR120018_BR_002583



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO:

FILE NO:

DSC 0022



Location: (b)(6), (b)(7)(C)

Equipment used to record image: Nikon D60

Description of photograph: Image shows Ziploc bags containing clean, untreated, wheat seed samples obtained from (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C). Bag 44/I30 (b)(4): 2009 West Bred (WB) 528, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Bag 44/I31 (b)(4): 2010 WB528, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Bag 44/I32 (b)(4): 2011 WB528, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Bag 44/I33 (b)(4): 2012 WB528, originating from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

Date of photograph: 6/19/13

Printed name and title: (b)(6), (b)(7)(C) USDA, APHIS, IES Investigator

Signature or photographer: (b)(6), (b)(7)(C) Date: 06/19/13

OR120018_BR_002585



(b) (6), (b) (7)(C), (b) (7)(D) - APHIS

From: (b) (6), (b) (7)(C), (b) (4)
Sent: Wednesday, June 19, 2013 1:21 PM
To: (b) (6), (b) (7)(C), (b) (4); (b) (6), (b) (7) APHIS; (b) (6), (b) (7) APHIS
Subject: RE: Emailing: (b) (6), (b) (7)(C) 09-12 seed sales.xlsx

(b) (6), (b) (7)(C)

This is what I had sent to (b) (6), (b) (7)(C) earlier that identifies how our lot system works. To further explain if you look at the entire lot for example:

"44/I3177"

44 signifies what class of wheat it is (ie. SWW, DNS, ect.) I signifies what Variety
3 signifies what Class it is (Registered, Certified ect.)
1 signifies what Crop year the seed lot was grown The last 2 numbers identify the supplier

Here is the spreadsheet outlining by year, by customer, seed sales of Rod, WB528 and Coda Club Wheat. All of the WB 528 and Coda were brought into (b) (6), (b) (7)(C) on a clean seed basis from suppliers and most of the Rod was as well in some years. Our lot number system is fairly easy to identify who the supplier is by the last 2 numbers of the Lot.

(b) (6), (b) (7)(C) - 77
(b) (6), (b) (7)(C) - 04
(b) (6), (b) (7)(C) - 78

You will find a column in each tab on the attached spreadsheet named: Lot Number this is where you can identify the supplier. Also there are seed samples in my office for the USDA investigator.

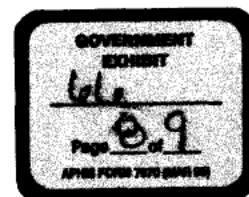
Please call if you require anything else!

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C), (b) (4)
(b) (6), (b) (7)(C), (b) (7)(D) s
Cell: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C), (b) (6), (b) (7)(D)
(b) (6), (b) (7)(C), (b) (4)
(b) (6), (b) (7)(C)
(b) (7)(D)

-----Original Message-----

From: (b) (6), (b) (7)(C), (b) (4)
Sent: Wednesday, June 19, 2013 10:39 AM
To: (b) (6), (b) (7)(C), (b) (4)
Subject: Emailing: (b) (6), (b) (7)(C) 09-12 seed sales.xlsx
(b) (6)

(b) (6), (b) (7)(C)



(b)(6), (b) (7)(C)

(b)(6), (b) Cooperatives

Cell: (b) (6), (b) (7)

(b)(6), (b) (7)(C)

The message is ready to be sent with the following file or link attachments:

(b) (6), (b) (7)(C) 09-12 seed sales.xlsx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.


This outbound email has been scanned for all viruses by the MessageLabs Skyscan service.
For more information please visit <http://www.symanteccloud.com>




Drop-Off Package Receipt: 1 of 1

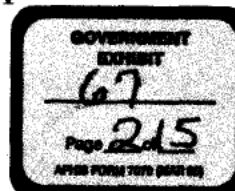
THIS IS NOT A SHIPPING LABEL. PLEASE SAVE FOR YOUR RECORDS.

(b) (6), (b) (7)(C), (b) (4)



(b) (6), (b) (7)(C), (b) (4)





United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6),
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-166

1 bag

2009, Coda Club, cleaned, untreated,

(b)(6),
(b)(7)(C)

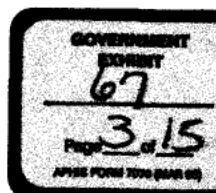
7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-166	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-166	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-166	(b)(6), (b)(7)(C)			
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b) (b) Investigator

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b) (7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate
OR130018-BR-167 1 bag 2010, Coda Club, Clean, Untreated (b)(4)

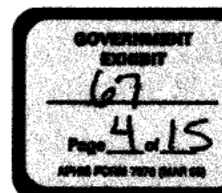
7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-167	(b)(6), (b)(7)(C)	6/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-167	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-167	(b)(6), (b)(7)(C)	06/19/13		
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title
(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location
2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property
(b)(6), (b)(7)(C)

3. Location where property was acquired
(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item No.	Quantity	Description of Articles
OR130018-BR-168	1 bag	2010 Coda Club, Clean, untreated, (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-168	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location

2150 Centre Ave
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-169 1 bag 2011 Coda Club Clean untreated (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-169	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-169	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-169	(b)(6), (b)(7)(C)	06/19/13		
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-170

1 bag

2012 Coda Club, Clean, untreated,

(b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-170	(b)(6), (b)(7)(C)	6/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-170	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-170	(b)(6), (b)(7)(C)	6/19/13	(b)(6), (b)(7)(C)	
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title
(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location
2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property
(b)(6), (b)(7)(C)

3. Location where property was acquired
(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item No.	Quantity	Description of Articles
OR130018-BR-171	1 bag	2009 Rod, Clean, Untreated, (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-171	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-171	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-171	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title
(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location
2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property
(b)(6), (b)(7)(C)

3. Location where property was acquired
(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item No. Quantity Description of Articles
Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-172 1 bag 2010 Rod, Clean untreated (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-172	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-172	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-172	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

Page 1

OR120018_BR_002605



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title
(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location
2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property
(b)(6), (b)(7)(C)

3. Location where property was acquired
(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item No.	Quantity	Description of Articles
OR130018-BR-173	1 bag	2011, Red, Clean, Untreated, (b)(6), (b)(7)(C)

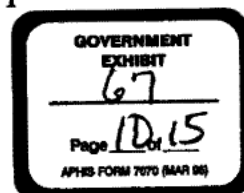
7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-173	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-173	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-173	(b)(6), (b)(7)(C)	06/19/13		
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

Page 1

OR120018_BR_002606



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title
(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location
2150 Centre Ave.
Bldg B, (b)(6), (b)(7)(C)
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property
(b)(6), (b)(7)(C)

3. Location where property was acquired
(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

6. Item No. Quantity Description of Articles
Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-174 1 bag Rod untreated clean (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-174	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-174	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-174	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

Page 1

OR120018_BR_002607



INVESTIGATIVE AND ENFORCEMENT SERVICES

(b)(6), (b)(7)(C), (b)(7)(D) Investigator

Fort Collins, CO 80526-8117

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

4. Date of acquisition: 6/19/13

5. Purpose for which obtained: Analytical purposes

No.	Quantity	Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-176 1 bag 2010 WB528 untreated Clean

(b)(6), (b)(7)(C)

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-176	(b)(6), (b)(7)(C)	06/19/13	(b)(6)	06/19/13

(b)(6), (b) (7)(C)

Item No.	Relinquished by Sign and Print Name	(7) (C)	Date	Received By Sign and Print Name	Date
OR130018-BR-176	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13

(b)(6), (b)(7)(C)

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-176	(b)(6), (b)(7) (b)(6), (b)(7)(C)	(b)(6) (b)(6)		06/19/13

(b)(6), (b)(7)(C) (6)

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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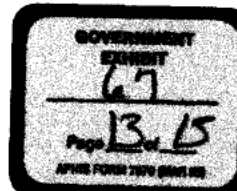
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

Page 1

OR120018 BR 002609



United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C) Investigator

Receiver's Office and Location

2150 Centre Ave.
Bldg B, 3W10
Fort Collins, CO 80526-8117

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 4/19/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-177

1 bag

2011 WB 528, Clean, Untreated,

(b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-177	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-177	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	06/19/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-177	(b)(6), (b)(7)(C)	06/19/13	(b)(6), (b)(7)(C)	
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

Page 1

OR120018_BR_002611



INVESTIGATIVE AND ENFORCEMENT SERVICES

OFFICIAL DECLARATION

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge.

I am employed as a (b)(6), (b)(7)(C) Investigator by the United States Department of Agriculture, Animal Plant Health Inspection Service, Investigative and Enforcement Services and have been since (b)(6), (b)(7)(C) The office is located at 2150 Centre Ave., Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526, office phone (b)(6), (b)(7)(C) cell phone (b)(6), (b)(7)(C) (C)

On June 12, 2013 I interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of (b)(6), (b)(7)(C) phone (b)(6), (b)(7)(C) and asked him questions concerning an ongoing IES investigation.

I asked if (b)(6), (b)(7)(C) farms any ground and he said he does not. I asked him if he kept copies of who he sold seed to and he stated he did. I asked if I could get copies of these documents and he said it might be easier if I got them from (b)(6), (b)(7)(C) a (b)(6), (b)(7)(C), based out of (b)(6), (b)(7)(C). He said they have audited the company since the beginning of business which was (b)(6), (b)(7)(C)

I asked where they get the seed they sell and he stated they get it from producers and other seed companies. (b)(6), (b)(7)(C)

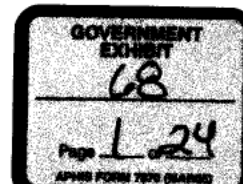
They sell to these companies also as well as their producers.

I asked about what variety of seed they sell and he stated they deal in 50 different varieties of wheat. He said he is not one of Monsanto's "chosen 5" so if he wants to sell one of their varieties of wheat he has to purchase it from one of the other seed dealers.

I asked about samples and he stated they do keep samples at their facility until that variety is out of their system. I asked if we could get a sample of his sample and he stated yes.

I asked if any of the producers he purchases from have said anything about having problems with volunteer wheat not being killed by roundup and he stated none of them have said anything about problem volunteer wheat.

OR120018_BR_002614



OFFICIAL DECLARATION

He has (b)(6), (b)(7)(c) bushel grain bins where the seed/grain is stored. I asked about the process of how he handled the grain when it came into their facility and he stated:

1. Screen and air.
2. Long and short indent; this separates particles that are either longer than the standard grain or shorter than the standard grain seed.
3. Gravity deck.
4. Placed into bin.

During this process there is negative air running all the way through the system, this takes out the dust.

I asked if he has ever dealt in Rod and he stated no. Maybe a truckload of 528 but that would have been all. I asked about any Coda varieties and he stated he purchased some Coda from (b)(6), (b)(7)(C) and sold it to (b)(6), (b)(7)(C), it never was on his facility. He has handled some Kara Club; still has some on hand, this grain was raised in (b)(6), (b)(7)(C) area.

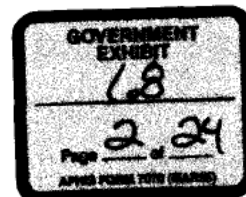
He stated the grain the producers grow from Monsanto is a Plant Variety Protection (PVP) grain. They have to sign a statement which have them agree to grow it form only grain and not for seed.

I declare under penalty of perjury that the foregoing is true and correct.

This declaration is executed by me on June 12, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



AFFIDAVIT

I, (b)(6), (b)(7)(C), being duly sworn on oath make the following statement:

To (b)(6), (b)(7)(C) who has identified himself as an Investigator employed by the USDA, APHIS, Investigative and Enforcement Services.

I am the (b)(6), (b)(6), (b)(7)(C) of (b)(6), (b)(7)(C) (b)(7) phone (b)(6), (b)(7)(C) and have been since (b)(6)

On this day (b)(6), (b)(6), (b)(7)(C) came in and requested samples of the samples we have on hand with regards to 528, Rod, and Club Style Wheat. I told him we did not have any 528 or Rod varieties, but we did have a few samples of Club. Based on USDA authority I allowed (b)(6), (b)(6), (b)(7)(C) to take samples, these samples were dated 2010, 2011, and 2012. Some of our samples are cleaned and (some) are not but are from the same field. (b)(6), (b)(6), (b)(7)(C) took samples of both cleaned and not cleaned (in the dirt).

I pulled the samples containers out which contain the club style wheat, (b)(6), (b)(6), (b)(7)(C) recorded the information listed on the sample container, photographed the containers, took a partial sample placing it in a plastic zip lock bag, took

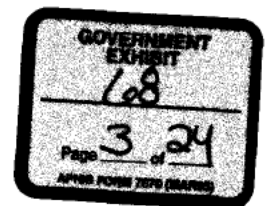
Page 1 of 2

/s/ (b)(6), (b)(7)(C)
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at /s/ (b)(6), (b)(7)(C)
on this 13th day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

/s/ (b)(6), (b)(7)(C)
DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6)



OR120018_BR_002618

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

Nature of Your disclosure of Information

Disclosure of information solicited by APHIS is voluntary.

Principle Purpose For Which The Information is Solicited

The principle purpose for which the information is solicited is for use in prosecutions and proceedings under or in the enforcement of laws and regulations administered by APHIS.

Routine Uses Which May be Made of the Information

The routine uses which may be made of the information are:

(1) Referral to a Federal, State, local or foreign agency charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the law or any rule, regulation or order issued pursuant to the law when the information indicates a violation or potential violation of law. (2) Disclosure to the Department of Justice for use in litigation under circumstances specified in USDA, APHIS Privacy Act Systems of Record published in the Federal Register. (3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear under circumstances specified in USDA, APHIS Privacy Act Systems of Records published in the Federal Register. (4) Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual who provided the information. (5) Referral to State Animal Health officials or State veterinary examining boards to certify that a particular individual is an accredited veterinarian.

Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

AFFIDAVIT

I, (b)(6), (b)(7), being duly sworn on oath make the following statement:

Pictures of his samples laid out by year.

One of the samples (b)(6), (b)(7) took was grain from (b)(6), (b)(7). It is common Bruehl Club, 2012; all we did was clean the seed for (b)(6), (b)(7). The grain was cleaned and loaded right back on the truck and taken out of our facility. I kept a sample because I'm required to. (b)(6), (b)(7) requested that same as well because of the ongoing investigation.

Two samples of the same wheat from the same farm, (b)(6), (b)(7)(C) 2011, one cleaned and one in the dirt, were also taken. This wheat is an Imazamox (IMI) resistant wheat, it is a BSAF patented technology. It is known in the industry as a Clearfield Bruehl Wheat.

I have provided copies of the purchases and sales of the Club Wheat.

I have read this statement and affirm it is true and correct to the best of my knowledge and understanding. I have been given the opportunity to make changes or additions _____

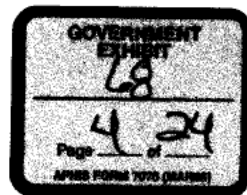
Page 2 of 2

/s/ (b)(6), (b)(7)
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at /s/ (b)(6), (b)(7)(C)
on this 13th day of June, 2013.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

/s/ (b)(6), (b)(7)(C)
DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6)



OR120018_BR_002620

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

Nature of Your disclosure of Information

Disclosure of information solicited by APHIS is voluntary.

Principle Purpose For Which The Information is Solicited

The principle purpose for which the information is solicited is for use in prosecutions and proceedings under or in the enforcement of laws and regulations administered by APHIS.

Routine Uses Which May be Made of the Information

The routine uses which may be made of the information are:

(1) Referral to a Federal, State, local or foreign agency charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the law or any rule, regulation or order issued pursuant to the law when the information indicates a violation or potential violation of law. (2) Disclosure to the Department of Justice for use in litigation under circumstances specified in USDA, APHIS Privacy Act Systems of Record published in the Federal Register. (3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear under circumstances specified in USDA, APHIS Privacy Act Systems of Records published in the Federal Register. (4) Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual who provided the information. (5) Referral to State Animal Health officials or State veterinary examining boards to certify that a particular individual is an accredited veterinarian.

Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

AFFIDAVIT

I, (name of affiant) (b)(6), (b)(7)(C) _____, being duly sworn on oath

make the following statement:

to (b)(6), (b)(7)(C) _____ who has identified himself as an investigator employed by the USDA, APHIS, Investigative and Enforcement Services,

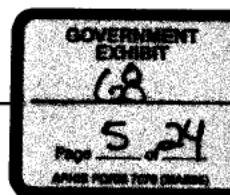
I am the (b)(6), (b)(7)(C) _____ of (b)(6), (b)(7)(C) _____ phone (b)(6), (b)(7)(C) _____ and have been since (b)(6), (b)(7)(C) _____

On this day (b)(6), (b)(7)(C) _____ came in and requested samples of the samples we have on hand with regards to 528, Red, and Club style wheat. I told him we did not have any 528 or Red varieties, but we did have a few samples of Club. Based on USDA authority I allowed (b)(6), (b)(7)(C) _____ to take samples. These samples were dated 2010, 2011, and 2012. Some of the ^{OUR} samples are cleaned and are not but are from the same field. (b)(6), (b)(7)(C) _____ took samples of both cleaned and not cleaned (in the dirt).

I pulled the sample containers out which contain the Club style wheat, (b)(6), (b)(7)(C) _____ recorded the information listed on the sample container, photographed the containers, took a (b)(6), (b)(7)(C) _____ plastic ziplock bag, took

Page 1 of 2

Subscribed and sworn to before me at (b)(6), (b)(7)(C) _____ on this 13th day of June ~~July~~ June, 2013.



(b)(6), (b)(7)(C) _____

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS, AUTHORITY NO. (b)(6), (b)(7)(C) _____

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

Nature of Your Disclosure

Disclosure of Information solicited by APHIS is voluntary.

Principle Purpose For Which The Information is Solicited

The principle purpose for which the information is solicited is for use in prosecutions and proceedings under or in the enforcement of laws and regulations administered by APHIS.

Routine Uses Which May be Made of the Information

The routine uses which may be made of the information are:

(1) Referral to a Federal, State, local or foreign agency charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the law or any rule, regulation or order issued pursuant to the law when the information indicates a violation of law. (2) Disclosure to the Department of Justice for use in litigation under circumstances specified in USDA, APHIS Privacy Act Systems of Record published in the Federal Register. (3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear under circumstances specified in USDA, APHIS Privacy Act Systems of Records published in the Federal Register. (4) Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual who provide the information. (5) Referral to State Animal Health officials or State veterinary examining boards to certify that a particular individual is an accredited veterinarian.

Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

AFFIDAVIT

I, (name of affiant) (b)(6), (b)(7)(C), being duly sworn on oath
make the following statement:

pictures of his samples laid out by ~~the~~ year,

One of the samples (b)(6), (b)(7)(C) took was grain from (b)(6), (b)(7)(C). It is common Bruehl Club, 2012; all we did was clean the seed for (b)(6), (b)(7)(C). The grain was cleaned and loaded right back on the truck and taken out of our facility. I kept a sample because I'm required to. (b)(6), (b)(7)(C) requested that same as well because of the ongoing investigation. Two samples of the same wheat from the same farm, (b)(6), (b)(7)(C) 2011, one cleaned and one in dirt were also taken.

(b)(6), (b)(7)(C) says this wheat is an Imazamox (IMI) resistant wheat, it is a BSAF patented technology. It is known in the industry as a Clearfield Bruehl wheat.

I have provided copies of the purchases and sales of the club wheat,

I have read this statement and affirm it is true and correct to the best of my knowledge and understanding. I have been given the opportunity to make changes or add.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



Page 2 of 2

Subscribed and sworn to before me at (b)(6), (b)(7)(C)
on this 13th day of July June, 2013.

(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO. (b)(6), (b)(7)(C)

Privacy Act Notice

Title 5, United States Code, Section 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

Authority for Requesting Information

Title 7, United States Code, Section 2217, authorizes officers, agents, or employees of the United States Department of Agriculture (USDA) designated by the Secretary of Agriculture to take an affidavit whenever the affidavit is for use in any prosecution or proceeding under or in the enforcement of any law administered by the Secretary of Agriculture, USDA, or any agency within USDA. Information is solicited from you for use in a prosecution or proceeding under or in the enforcement of laws delegated to the Administrator of the Animal and Plant Health Inspection Service (APHIS), USDA. These laws are listed in Title 7, Code of Federal Regulations, Section 2.51. In addition, the information solicited may be disclosed in accordance with the routine uses in the USDA, APHIS Privacy Act Systems of Records published in the Federal Register and described below under "Routine Uses Which May be Made Of the Information."

Nature of Your Disclosure

Disclosure of Information solicited by APHIS is voluntary.

Principle Purpose For Which The Information is Solicited

The principle purpose for which the information is solicited is for use in prosecutions and proceedings under or in the enforcement of laws and regulations administered by APHIS.

Routine Uses Which May be Made of the Information

The routine uses which may be made of the information are:

(1) Referral to a Federal, State, local or foreign agency charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the law or any rule, regulation or order issued pursuant to the law when the information indicates a violation of law. (2) Disclosure to the Department of Justice for use in litigation under circumstances specified in USDA, APHIS Privacy Act Systems of Record published in the Federal Register. (3) Disclosure in a proceeding before a court or adjudicative body before which USDA is authorized to appear under circumstances specified in USDA, APHIS Privacy Act Systems of Records published in the Federal Register. (4) Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual who provide the information. (5) Referral to State Animal Health officials or State veterinary examining boards to certify that a particular individual is an accredited veterinarian.

Effects of Failure to Furnish Information

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.

CASE NO: OR130018-BR

DISK/CD NO:

FILE NO: DSC_0096.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: 2010 Wheat samples stored in locker.

DATE OF PHOTOGRAPH: June 13, 2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) (b)(6), Investigator

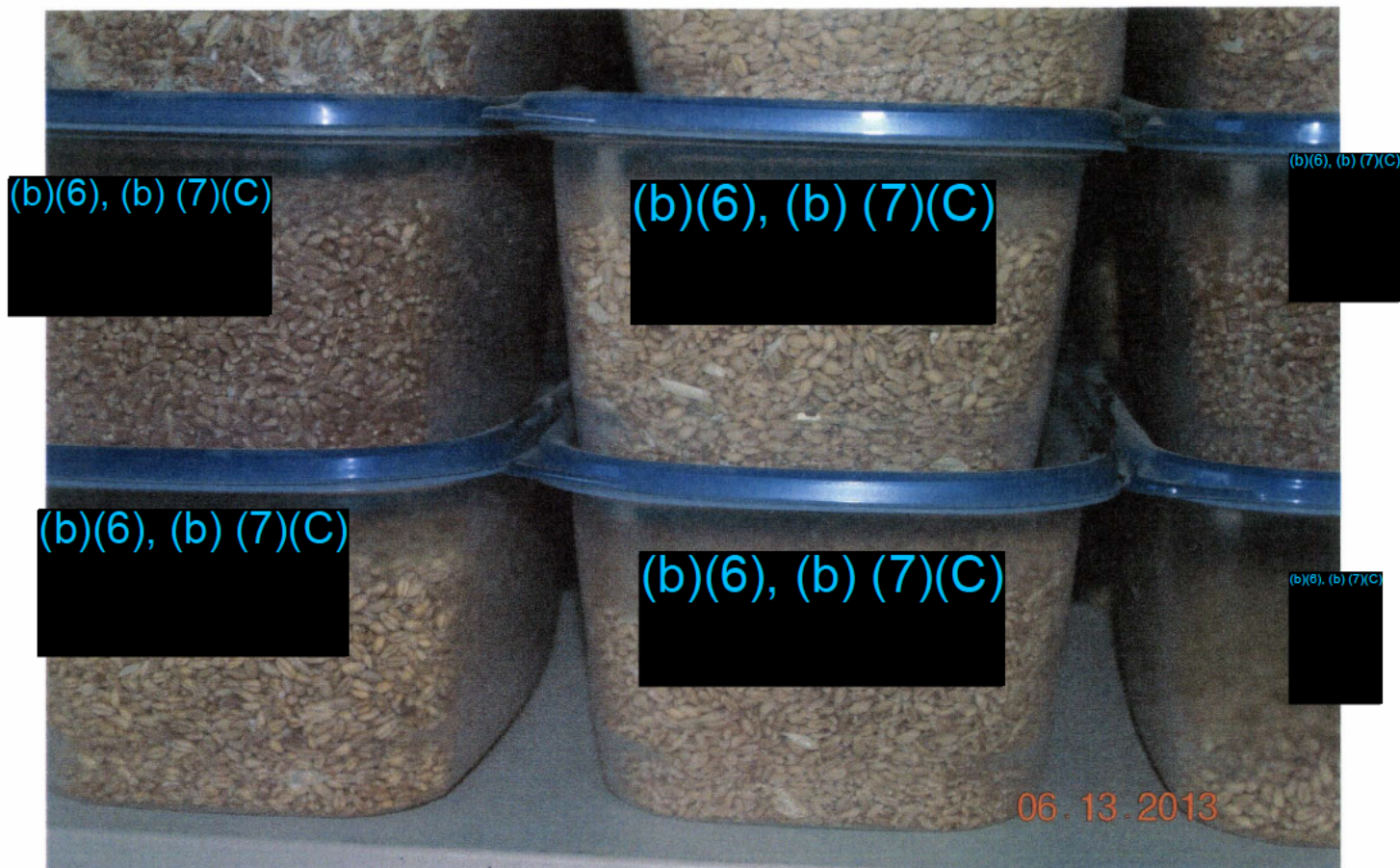
SIGNATURE OF PHOTOGRAPHER (b)(6), (b)(7)(C)

DATE: 06/17/2013

OR120018_BR_002626



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.
CASE NO: OR130018-BR
DISK/CD NO:
FILE NO: DSC_0097.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: 2010 Wheat samples stored in locker.

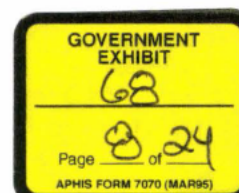
DATE OF PHOTOGRAPH: June 13, 2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C), (b)(6), Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

DATE: 06/17/2013

OR120018_BR_002628



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.
CASE NO: OR130018-BR
DISK/CD NO:
FILE NO: DSC_0098.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: 2010 Wheat samples, Club varieties pulled from locker to take samples from.

DATE OF PHOTOGRAPH: June 13, 2013

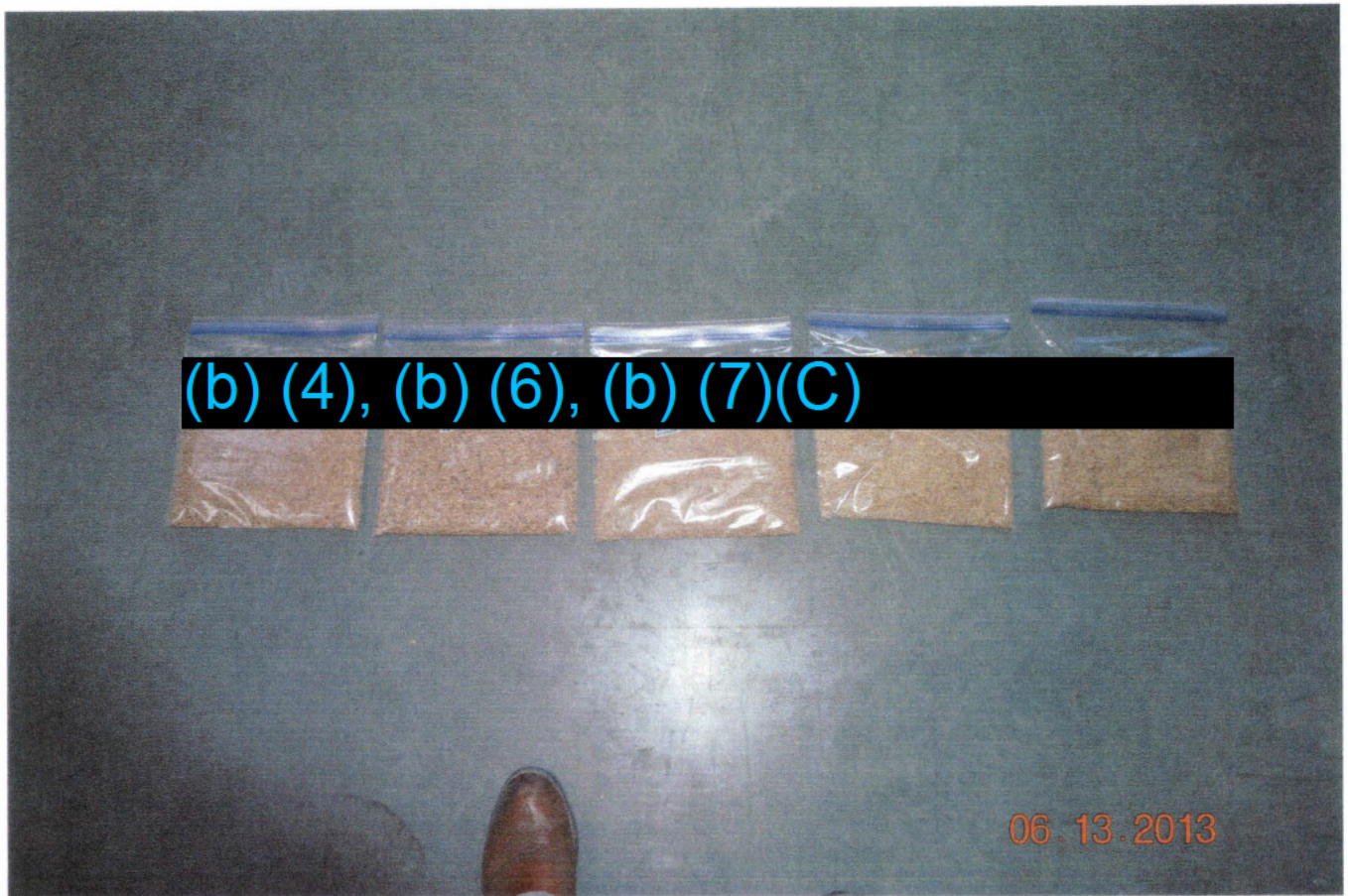
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) b(6), Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/17/2013

OR120018_BR_002630



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.
CASE NO: OR130018-BR
DISK/CD NO:
FILE NO: DSC_0108.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: IES samples pulled from company samples stored in lockers.

DATE OF PHOTOGRAPH: June 13, 2013

PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) (b)(6), Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/17/2013

OR120018_BR_002632



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.
CASE NO: OR130018-BR
DISK/CD NO:
FILE NO: DSC_0115.JPG



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: IES samples pulled from 2011 samples stored in lockers.

DATE OF PHOTOGRAPH: June 13, 2013

PRINTED NAME AND TITLE: (b)(6), (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C)

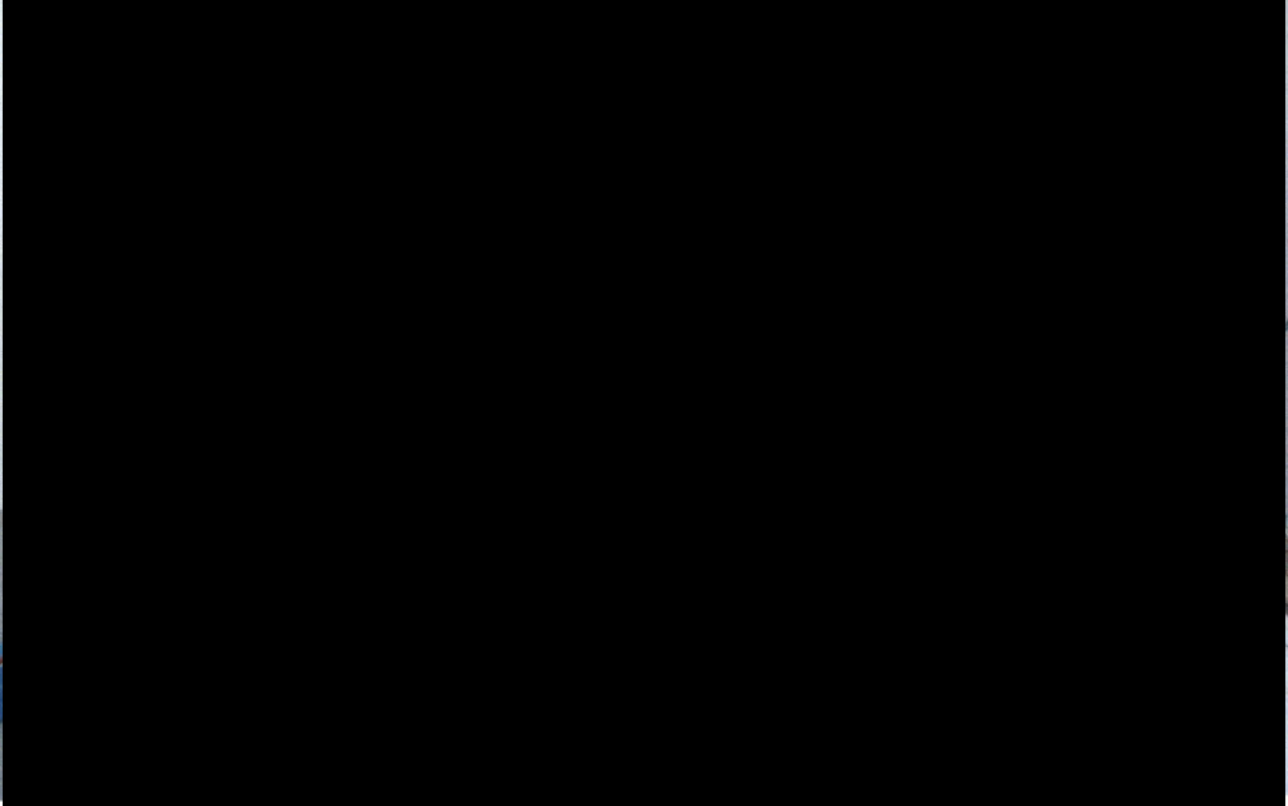
DATE: 06/17/2013

OR120018_BR_002634



THIS IMAGE FAIRLY AND ACCURATELY DEPICTS THE CONDITIONS ON THE DAY THE PHOTOGRAPH WAS TAKEN.
CASE NO: OR130018-BR
DISK/CD NO:
FILE NO: DSC_0125.JPG

(b) (4), (b) (6), (b) (7)(C)



LOCATION: (b)(6), (b)(7)(C)

EQUIPMENT USED TO RECORD IMAGE: Nikon D60

DESCRIPTION OF PHOTOGRAPH: All three lockers showing how the samples taken by the company are stored; years 2010, 2011, and 2012 are the only samples currently available. Housed just inside of the cleaning facility.

DATE OF PHOTOGRAPH: June 13, 2013

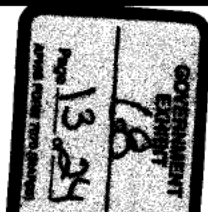
PRINTED NAME AND TITLE: (b)(6), (b)(7)(C) Investigator

SIGNATURE OF PHOTOGRAPHER: (b)(6), (b)(7)(C) DATE: 06/17/2013

OR120018_BR_002636



(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

21-61-910

(b)(6), (b)(7)(C)

21-61-910

(b)(6), (b)(7)(C)

21-61-910

OR120018_BR_002640

8/6/2010	(b)(6), (b)(7)(C)	WHEAT	SWC-BRUEHL-CERT-CLN	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SALES
8/6/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/6/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/7/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/7/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/7/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/7/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/10/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/12/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/10/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/10/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/10/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/10/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/11/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/19/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/2/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/29/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/24/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/4/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/4/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/4/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/5/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
1/25/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/1/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/1/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/4/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
9/10/2010		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
9/10/2010		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
9/30/2010		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
9/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/10/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/15/2011		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
9/15/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/17/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/17/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/18/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/25/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES

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I, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C),
received this document from
(b)(6), (b)(7)(C), (b)(6), (b)(7)(C)
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Phone (b)(6), (b)(7)(C)
On June 13, 2013

8/26/2009	(b)(6), (b)(7)(C)	WHEAT	SWC-BRUEHL-CERT-CLN	(b)(6), (b)(7)(C)	(b)(6), (b)(7)(C)	SALES
8/29/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/29/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/31/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
10/31/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/31/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/31/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/16/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/16/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/16/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/16/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/17/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/17/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/28/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/4/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/20/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/14/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/14/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/19/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/6/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/8/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/14/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/5/2012		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
10/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/30/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/3/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/26/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/30/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/24/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/27/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/25/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/10/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/30/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/2/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/6/2011		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/10/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/2/2009		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
10/8/2010		WHEAT	SWC-BRUEHL-CERT-CLN			PURCHASES
10/9/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
10/4/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
10/8/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
9/10/2010		WHEAT	SWC-BRUEHL-CERT-CLN			SALES
8/5/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/5/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/5/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/5/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST
8/6/2010		WHEAT	SWC-BRUEHL-CERT-IND			HARVEST

12

I, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C),
received this document from
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Phone (b)(6), (b)(7)(C)
On June 13, 2013

(b)(6), (b)(7)(C)

[illegible]

I, (b)(6), (b)(7)(C)
received this document from
(b)(6), (b)(7)(C) (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Phone (b)(6), (b)(7)(C)
On June 13, 2013

CR 120118 BR 002046

8/5/2009	(b)(6), (b)(7)(C)		WHEAT	SWC-BRUEHL-CERT-INDIRT	(b)(6), (b)(7)(C)		HARVEST
8/6/2009			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
8/6/2009			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/27/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
7/28/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
8/29/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
8/30/2012			WHEAT	SWC-BRUEHL-CERT-INDIRT			HARVEST
9/9/2011			WHEAT	SWC-CARA-FDN-CLN-TRT (V			PURCHASES
10/3/2011			WHEAT	SWC-CARA-FDN-CLN-TRT (V			PURCHASES
10/15/2011			WHEAT	SWC-CARA-FDN-CLN-TRT (V			SALES
10/18/2011			WHEAT	SWC-CARA-FDN-CLN-TRT (V			SALES
8/24/2012	(b)(6),		WHEAT	SWC-CARA-REG-CLN (KEME			SALES
9/13/2012			WHEAT	SWC-CARA-REG-CLN (KEME			SALES
9/20/2012			WHEAT	SWC-CARA-REG-CLN (KEME			SALES
9/25/2012	(b)(6)		WHEAT	SWC-CARA-REG-CLN (KEME			SALES
10/1/2012			WHEAT	SWC-CARA-REG-CLN (KEME			SALES
11/17/2012			WHEAT	SWC-CARA-REG-CLN (KEME			SALES
4/23/2013			WHEAT	SWC-CARA-REG-CLN (KEME			SALES
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT	(b)(6), (b)(7)(C)		HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/15/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/15/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/15/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/15/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/15/2012			WHEAT	SWC-CARA-REG-INDIRT			HARVEST
8/13/2012			WHEAT	SWC-CARA-REG-INDIRT			SALES
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			SALES
8/14/2012			WHEAT	SWC-CARA-REG-INDIRT			SALES

GOVERNMENT
EXHIBIT
10/1

I, (b)(6), (b)(7)(C), (b)(7)(D) (b)(6), (b)(7)(C)
received this document from (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Phone (b)(6), (b)(7)(C)
On June 13, 2013

OR120018_BR_002648

(b)(6), (b)(7)(C)					
8/14/2012		WHEAT	SWC-CARA-REG-INDIR	(b) (4), (b) (6), (b) (7)(C)	SALES
8/14/2012		WHEAT	SWC-CARA-REG-INDIR		SALES
8/14/2012		WHEAT	SWC-CARA-REG-INDIR		SALES
9/12/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/22/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/22/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/23/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/26/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/27/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
9/1/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
9/3/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/15/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/17/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/19/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/9/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
10/14/2009		WHEAT	SWC-CHUKAR-REG-CLN		SALES
9/1/2009		WHEAT	SWC-CHUKAR-REG-IND		PURCHASES
9/1/2009		WHEAT	SWC-CHUKAR-REG-IND		PURCHASES
9/1/2009		WHEAT	SWC-CHUKAR-REG-IND		PURCHASES
7/30/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/30/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/30/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/30/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
7/31/2009		WHEAT	SWC-CHUKAR-REG-IND		HARVEST
8/3/2009		WHEAT	SWC-CHUKAR-REG-IND		SALES
8/3/2009		WHEAT	SWC-CHUKAR-REG-IND		SALES
8/3/2009		WHEAT	SWC-CHUKAR-REG-IND		SALES
8/4/2009		WHEAT	SWC-CHUKAR-REG-IND		SALES
9/19/2011		WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/21/2011		WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/22/2011	(b)(6), (b)(7)(C)	WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/26/2011		WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/29/2011		WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/29/2011	(b)(6), (b)(7)(C)	WHEAT	SWC-CODA-CERT-CLN		PURCHASES
9/19/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
9/21/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
9/22/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
9/26/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
9/29/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
9/29/2011		WHEAT	SWC-CODA-CERT-CLN		SALES
7/28/2009		WHEAT	SWC-CODA-CERT-INDI		HARVEST
7/28/2009		WHEAT	SWC-CODA-CERT-INDI		HARVEST
7/29/2009		WHEAT	SWC-CODA-CERT-INDI		HARVEST
7/29/2009		WHEAT	SWC-CODA-CERT-INDI		HARVEST
7/28/2009		WHEAT	SWC-CODA-CERT-INDI		SALES
7/28/2009		WHEAT	SWC-CODA-CERT-INDI		SALES
7/29/2009		WHEAT	SWC-CODA-CERT-INDI		SALES
7/29/2009		WHEAT	SWC-CODA-CERT-INDI		SALES

I, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C),
received this document from
(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Phone (b)(6), (b)(7)(C)

On June 13, 2013

(b)(6), (b)(7)(C)

7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			HARVEST
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			HARVEST
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			HARVEST
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			HARVEST
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			HARVEST
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			SALES
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			SALES
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			SALES
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			SALES
7/27/2009		WHEAT	SWC-CODA-CERT-INDIRT			SALES
3/3/2009		WHEAT	SWC-CODA-REG-CLN-			SALES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			PURCHASES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			PURCHASES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			PURCHASES
3/2/2010		WHEAT	SWC-EDEN-CERT-CLN-			PURCHASES
3/4/2010		WHEAT	SWC-EDEN-CERT-CLN-			PURCHASES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			SALES
3/4/2010		WHEAT	SWC-EDEN-CERT-CLN-			SALES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			SALES
3/1/2010		WHEAT	SWC-EDEN-CERT-CLN-			SALES
3/2/2010		WHEAT	SWC-EDEN-CERT-CLN-			SALES
3/3/2010		WHEAT	SWC-EDEN-REG-CLN-			PURCHASES
3/3/2010		WHEAT	SWC-EDEN-REG-CLN-			SALES
8/26/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/20/2012		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/20/2012		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/22/2012		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/28/2012		WHEAT	SWC-IMI BRUEHL-CER			SALES
6/26/2012		WHEAT	SWC-IMI BRUEHL-CER			SALES
5/14/2010		WHEAT	SWC-IMI BRUEHL-CER			SALES
5/14/2010		WHEAT	SWC-IMI BRUEHL-CER			SALES
5/17/2010		WHEAT	SWC-IMI BRUEHL-CER			SALES
5/18/2010		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/11/2009		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/3/2009		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/12/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/23/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/26/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
8/29/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
9/3/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/13/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/27/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/21/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/21/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
11/3/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
11/7/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/19/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
9/15/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
9/20/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
9/22/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/13/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/13/2011		WHEAT	SWC-IMI BRUEHL-CER			SALES
10/23/2009		WHEAT	SWC-IMI BRUEHL-CER			SALES

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(b)(6), (b)(7)(C) [REDACTED]
[REDACTED]
Phone (b)(6), (b)(7)(C) [REDACTED]
On June 13, 2013

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

10/31/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR	(b)(6), (b) (7)(C)	SALES
8/28/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
9/2/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/14/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/27/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
9/2/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
9/8/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
10/27/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/14/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/20/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
9/2/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
10/28/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
9/9/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/20/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/24/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
11/2/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/19/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
8/25/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
10/17/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
10/17/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
11/5/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
11/6/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
11/11/2009	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
2/17/2010	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
3/1/2010	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
3/3/2010	WHEAT	SWC-IMI BRUEHL-CERT-CLN-TR		SALES
7/31/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/1/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/1/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/1/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/3/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/3/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/3/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/4/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/4/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/9/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/10/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/10/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/10/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/11/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/12/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/12/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/12/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
8/12/2011	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
7/29/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
7/30/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST
7/30/2009	WHEAT	SWC-IMI BRUEHL-CERT-INDIRT		HARVEST

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(b)(6), (b)(7)(C)

Phone (b)(6), (b)(7)(C)

On June 13, 2013

(b)(6), (b)(7)(C)

8/17/2010
3/20/2013
3/22/2013
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3/15/2013
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3/15/2013
3/18/2013
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10/11/2011
10/14/2011

	WHEAT	SWC-JD-REG-INDIR
	WHEAT	SWSC-JD-CERT-CLN
	WHEAT	SWSC-JD-CERT-CLN
	WHEAT	SWSC-JD-CERT-CLN
	WHEAT	SWSC-JD-CERT-CLN
	WHEAT	SWSC-JD-CERT-CLN
	WHEAT	SWSC-JD-REG-CLN
	WHEAT	SWSC-JD-REG-CLN
RETURN	WHEAT	SWSC-JD-REG-CLN
	WHEAT	SWSC-JD-REG-CLN
	WHEAT	SWW-WB 528-CERT
	WHEAT	SWW-WB 528-CERT
	WHEAT	SWW-WB 528-CERT
	WHEAT	SWW-WB 528-CERT
	WHEAT	SWW-WB528-CERT
	WHEAT	SWW-WB528-CERT
	WHEAT	SWW-WB528-CERT
	WHEAT	SWW-WB528-CERT
	WHEAT	SWW-WB528-CERT

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HARVEST
PURCHASES
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(b)(6), (b)(7)

Phone (b)(6), (b)(7)(C)

On June 13, 2013

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

7/30/2009		WHEAT	SWC-IMI BRUEHL-CERT-	(b)(6), (b)(7)(C)	HARVEST
7/30/2009		WHEAT	SWC-IMI BRUEHL-CERT-		HARVEST
7/30/2009		WHEAT	SWC-IMI BRUEHL-CERT-		HARVEST
7/30/2009		WHEAT	SWC-IMI BRUEHL-CERT-		HARVEST
7/30/2009		WHEAT	SWC-IMI BRUEHL-CERT-		HARVEST
9/1/2010		WHEAT	SWC-IMI BRUEHL-FDN-C		PURCHASES
10/8/2010		WHEAT	SWC-IMI BRUEHL-FDN-C		SALES
8/28/2012		WHEAT	SWC-IMI BRUEHL-REG-C		SALES
8/31/2012		WHEAT	SWC-IMI BRUEHL-REG-C		SALES
9/25/2012		WHEAT	SWC-IMI BRUEHL-REG-C		SALES
3/7/2011		WHEAT	SWC-IMI BRUEHL-REG-C		PURCHASES
10/9/2010		WHEAT	SWC-IMI BRUEHL-REG-C		SALES
8/10/2011		WHEAT	SWC-IMI BRUEHL-REG-I		HARVEST
8/10/2011		WHEAT	SWC-IMI BRUEHL-REG-I		HARVEST
7/20/2009		WHEAT	SWC-IMI-BRUEHL-REG-C		SALES
3/27/2010		WHEAT	SWC-JD-FDN-CLN-TRT (PURCHASES
3/2/2010		WHEAT	SWC-JD-FDN-CLN-TRT (PURCHASES
3/5/2010		WHEAT	SWC-JD-FDN-CLN-TRT (PURCHASES
3/15/2010		WHEAT	SWC-JD-FDN-CLN-TRT (SALES
4/14/2010		WHEAT	SWC-JD-FDN-CLN-TRT (SALES
4/14/2010		WHEAT	SWC-JD-FDN-CLN-TRT (SALES
3/24/2011		WHEAT	SWC-JD-REG-CLN	(b)(6), (b)(7)(C)	SALES
3/24/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/7/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/7/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/7/2011		WHEAT	SWC-JD-REG-CLN		SALES
2/14/2011		WHEAT	SWC-JD-REG-CLN		SALES
5/4/2011		WHEAT	SWC-JD-REG-CLN		SALES
5/10/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/29/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/29/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/30/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/24/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/4/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/10/2011		WHEAT	SWC-JD-REG-CLN		SALES
3/14/2011		WHEAT	SWC-JD-REG-CLN		SALES
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/25/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/26/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/26/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/26/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/16/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/16/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/16/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/16/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/16/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/17/2010		WHEAT	SWC-JD-REG-IND		HARVEST
8/17/2010		WHEAT	SWC-JD-REG-IND		HARVEST

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11/11/2010

I, (b)(6), (b)(7)(b) (b)(6)
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(b)(6), (b)(7)(C)
(b)(6), (b)(7)

Phone (b)(6), (b)(7)(C)

On June 13, 2013



Maximize Your Return on Investment with the CLEARFIELD® Production System for Wheat

CLEARFIELD Wheat Can Increase Your Bottom Line

It's no secret that in order to increase yields and profits, you have to eliminate weed competition in your field and in your grain. And with the **CLEARFIELD** Production System, you can do just that. When more yield-robbing weeds are controlled, your field can produce wheat that rewards you at the elevator with less dockage and higher yield quality.

Benefits of CLEARFIELD Technology

- **Provides broad-spectrum grass and broadleaf weed control** resulting in cleaner fields and greater yields.
- **Reduces dockage** due to presence of weed seed (ex., jointed goatgrass) in the harvested grain.
- **Reduces the potential for grain discounts** by helping manage feral rye leading to **lower foreign matter percentage** in the grain.
- **Helps manage contrasting wheat classes** (ex. of non-herbicide tolerant wheat) in wheat fields.

Price Discount Variables

Price Discount Variables	Improved by CLEARFIELD
Test weight	—
Grain grade	✓
Foreign material	✓
Moisture content	—
Dockage	✓

As little as 1% contamination (ex., jointed goatgrass seed) can result in dockage

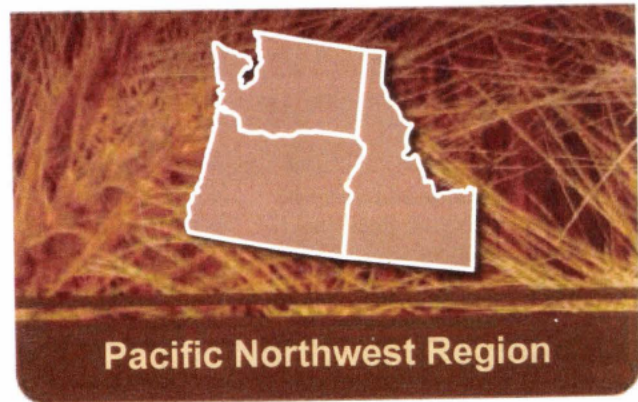
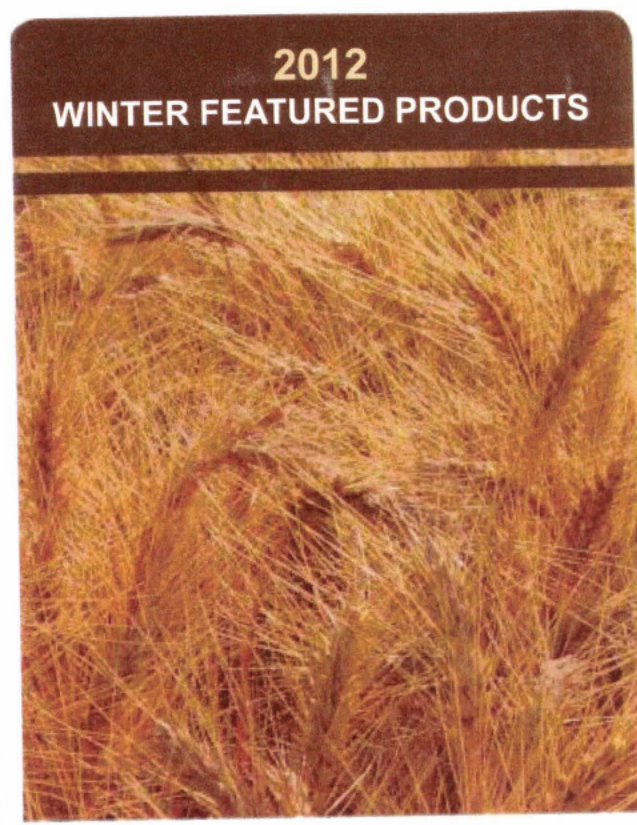


Contrasting class seed >1% can result in increased grain discounts



OR120018_BR_002658





OR120018_BR_002660

Drop-Off Package Receipt: 1 of 1

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DROP-OFF LOCATION:

(b)(6), (b)(7)(C)

DROP-OFF DATE/TIME:

Fri 14 Jun 2013 1:20 PM

ESTIMATED PICKUP DATE:

UPS (Air) Fri 14 Jun 2013 1 pkg

CUSTOMER:

Not Provided

ID Type: Not Provided

TOTAL PACKAGES:

1 pkg

TRACKING NUMBER

CARRIER & SERVICE

wt(lbs)

(b)(6), (b)(7)(C)

UPS 2nd Day AM

17.850

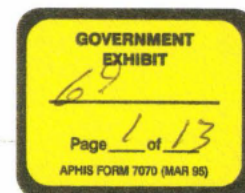
(b)(6), (b)(7)(C)

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.
Bldg B (b)(6), (b)(7)(C)
Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-153

(b)(6), (b)(7)

2010, JD Club in dirt

(b)(4)

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-153

(b)(6), (b)(7)(C)

Sign and Print Name

(b)(6), (b)(7)
(b)(6), (b)(7)(C)

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-153

Sign and Print Name

(b)(6), (b)(7)

06/13/13

Sign and Print Name

(b)(6), (b)(7)(C)

6/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-153

Sign and Print Name

(b)(6),
(b)(7)

(b)

06/14/13

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

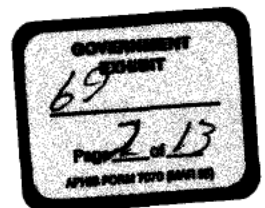
Date

Sign and Print Name

Sign and Print Name

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Center Ave.

Bldg B (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-154 1 (b)(6), (b)(7)(C) 2010 JD Club indrt (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by	Date	Received By	Date
OR130018-BR-	(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by	Date	Received By	Date
OR130018-BR-154	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	6/13/13

Item No.	Relinquished by	Date	Received By	Date
OR130018-BR-154	(b)(6), (b)(7)(C)	06/14/13		

Item No.	Relinquished by	Date	Received By	Date
	Sign and Print Name		Sign and Print Name	

Item No.	Relinquished by	Date	Received By	Date
	Sign and Print Name		Sign and Print Name	

Item No.	Relinquished by	Date	Received By	Date
	Sign and Print Name		Sign and Print Name	

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6),
(b)(6), (b)(7)
(C)

3. Location where property was acquired

(b)(6), (b)(7)
(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

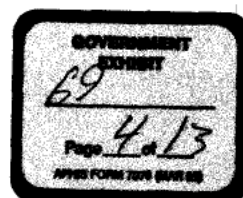
OR130018-BR-155 1 (b)(6), (b)(7) 2010, JD club cleaned, registered seed, (b)(6), (b)(7)(C)

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-155	(b)(6), (b)(7)(C)		(b)(6), (b)(7) (b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-155	(b)(6), (b)(7) (b)(6)	06/13/13	(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-155	(b)(6), (b)(7)(C)	06/14/13 06/13/13	(b)(6) (b)(6)	
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg (b)(6),

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No.

Quantity

Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-156 1 (b)(6), (b)(7)(C) 2010, Bruhl Club, (b)(6), (b)(7)(C) Cleaned

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-156

(b)(6), (b)(7)(C)

Sign and Print Name

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-156

(b)(6), (b)(7)(C)

Sign and Print Name

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-156

(b)(6), (b)(7)(C)

Sign and Print Name

06/14/13

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-157 1 (b)(6), (b)(7)(C) 2010, Bruhl club, (b)(6), (b)(7)(C) in dirt

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
157	(b)(6), (b)(7)(C)	6/13/13	(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-157	Burke A Newman (b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-157	(b)(6), (b)(7)(C)	6/14/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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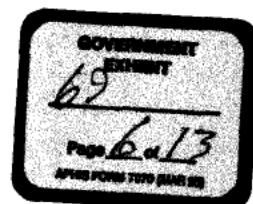
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item Description of Articles

No. Quantity Include specimen no., serial no., identifying marks, and condition when appropriate

OR130018-BR-158 1 (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 2011, Bruhl club, (b)(6), (b)(7)(C) cleaned

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-	(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-158	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-158	(b)(6), (b)(7)(C)	06/14/13		

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No.

Quantity

Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-159

1

(b)(6), (b)(7)(C)

2011, registered IMI Bruceh Club

(b)(6), (b)(7)(C)

in dist.

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-159

(b)(6), (b)(7)(C)

Sign and Print Name

(b)(6), (b)(7)(C)

06/13/13

Item No.

Received By

Date

OR130018-BR-159

(b)(6), (b)(7)(C)

06/13/13

Sign and Print Name

(b)(6), (b)(7)(C)

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-159

(b)(6), (b)(7)(C)

06/14/13

Sign and Print Name

(b)(6), (b)(7)(C)

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

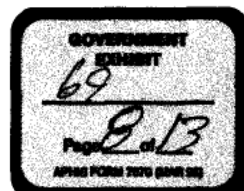
Date

Sign and Print Name

Sign and Print Name

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6),
(b)(7)(C)
Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-160 1 (b)(6), (b)(7)(C) 2D11, registered IMI Bruchl Club, (b)(6), (b)(7)(C) cleaned

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-160

(b)(6), (b)(7)(C)

Sign and Print Name

(b)(6), (b)(7)(C)

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-160

Sign and Print Name

Burke A Newman

06/13/13

Sign and Print Name

(b)(6), (b)(7)(C)

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-160

Sign and Print Name

(b)(6), (b)(7)(C)

06/14/13

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

No.

Quantity

Description of Articles

Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-161 1 (b)(6), (b)(7)(C), 2012, Common Bruehl Club (b)(6), (b)(7)(C) cleaned.

7. Initiating official should appear as first person relinquishing item.

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-161

(b)(6), (b)(7)(C)

Sign and Print Name

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-161

Sign and Print Name

06/13/13

Sign and Print Name

06/13/13

Item No.

Relinquished by

Date

Received By

Date

OR130018-BR-161

Sign and Print Name

06/14/13

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Item No.

Relinquished by

Date

Received By

Date

Sign and Print Name

Sign and Print Name

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-162

(b)(6), (b)(7)(C)

2012, Brush Club

(b)(6), (b)(7)(C)

Cleaned

Cleaned

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-162	(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-162	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-162	(b)(6), (b)(7)(C)			06/14/13

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
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Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.

Bldg B, (b)(6), (b)(7)(C)

Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No. Quantity Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-163 1 (b)(6), (b)(7)(C) 2012, Lara Club, Registered (b)(6), (b)(7)(C) A, in dirt

7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-163	(b)(6), (b)(7)(C)		(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-163	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-163	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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United States Department of Agriculture Animal Plant Health Inspection Service
Chain of Custody

INVESTIGATIVE AND ENFORCEMENT SERVICES

1. Receiving Official and Title

(b)(6), (b)(7)(C)

Receiver's Office and Location

2150 Centre Ave.
Bldg B, (b)(6),
(b)(7)(C)
Fort Collins, CO 80526

2. Full Name and Address of Person furnishing property

(b)(6), (b)(7)(C)

3. Location where property was acquired

(b)(6), (b)(7)(C)

4. Date of acquisition: 06/13/13

5. Purpose for which obtained: Analytical purposes

6. Item

Description of Articles

No.

Quantity

Include specimen no., serial no., seal no., identifying marks, and condition when appropriate

OR130018-BR-164 1 (b)(6), (b)(7)(C) Lava Club, Registered, (b)(6), (b)(7)(C) cleaned.

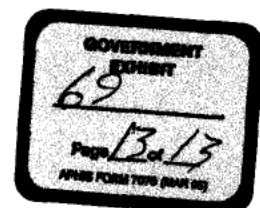
7. Initiating official should appear as first person relinquishing item.

Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-164	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-164	(b)(6), (b)(7)(C)	06/13/13	(b)(6), (b)(7)(C)	06/13/13
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
OR130018-BR-164	(b)(6), (b)(7)(C)	06/14/13		
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date
Item No.	Relinquished by Sign and Print Name	Date	Received By Sign and Print Name	Date

Control number or name OR130018-BR

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Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), (b)(7)(C) Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On Thursday 07/25/13, I called and spoke with (b)(6), (b)(7)(C), (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

. His contact information is (b)(6), (b)(7)(C) (phone)
(b)(6), (b)(7)(C) (e-mail).

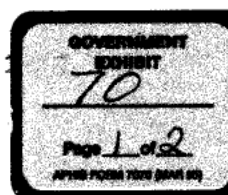
I introduced myself to (b)(6), (b)(7) as an investigator working for the USDA/ APHIS- IES. I explained to (b)(6), (b)(7) that I was assisting in the investigation of glyphosate resistant wheat found by an Oregon farmer a couple of months ago. I asked (b)(6), (b)(7) if he had heard of this or if he was familiar with the situation.

(b)(6), (b)(7) replied that he had not heard anything about the Oregon case or that anyone reported finding glyphosate resistant wheat. I explained that an Oregon farmer noticed some wheat volunteers in a field in which he had sprayed a glyphosate herbicide. Testing on the volunteers revealed the plants were glyphosate resistant. As there have been no releases of genetically modified (GM) wheat (to the public), we (APHIS) were requested to do an investigation to determine how this GM wheat came to be in the environment.

I informed (b)(6), (b)(7) the reason I wanted to talk with him was to determine what the cultivar/variety of the "Elite Lines" of wheat were which are noted in the notification/permit from research he had completed in (b)(6), (b)(7)(C). I also told him we were looking into the possible contamination or cross contamination (b)(6), (b)(7) in any of the MON71800 testing with which he was involved.

(b)(6), (b)(7) told me he did not remember much about this research because it was more than (b)(6), (b)(7) years ago, when he was in (b)(6), (b)(7)(C). He told me he is now working at (b)(6), (b)(7)(C). (b)(6), (b)(7) said, to the best of his memory, all of the seed (b)(6), (b)(7) in the glyphosate resistant field trials was supplied and shipped to him from Monsanto. Furthermore, he never knew exactly what varieties he was working with but believes they were a hard red winter wheat.

I asked (b)(6), (b)(7) if he had any of the paperwork connected with the field trials if not, did he know who would have the information.



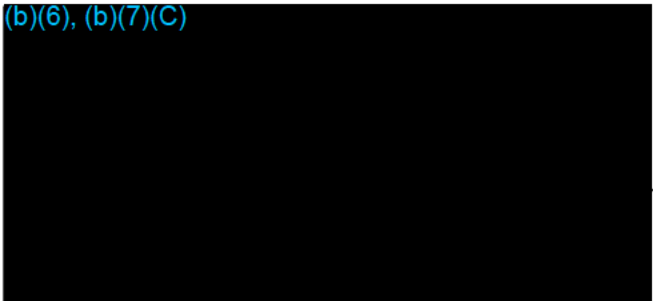
(b)(6), (b)(7) told me that he did not have any of the information. He said he did not know who would have any information concerning this. After all this time, the only thing he could think of was the information might have been sent to Monsanto.

I also asked (b)(6), (b)(7) about the safeguarding of the test plots and the protocols used during all aspects of the handling of the transformed lines.

(b)(6), (b)(7) responded by saying, whatever the protocol instructions were, they followed them, to the best of his remembrance.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 22, 2013.

(b)(6), (b)(7)(C)



Investigator

USDA-APHIS-IES

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C).

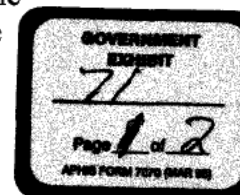
On Thursday 07/25/13, I called and spoke with (b)(6), (b)(7)(C). (b)(6), (b)(7) (b)(6), (b)(7), Monsanto Company, 408 Deer Drive. Great Falls, MT 59404. His contact information is (b)(6), (b)(7)(C) (cell), (b)(6), (b)(7) (fax), (b)(6), (b)(7)(C) @monsanto.com (e-mail).

I introduced myself to (b)(6), (b)(7) as an investigator working for the USDA/ APHIS- IES. I explained to (b)(6), (b)(7) that I was assisting in the investigation of glyphosate resistant wheat found by an Oregon farmer a couple of months ago. I asked (b)(6), (b)(7) if he had heard of this or if he was familiar with the situation.

(b)(6), (b)(7) replied that he had heard the Oregon case and had been following the press releases. I explained that an Oregon farmer noticed some wheat volunteers in a field in which he had sprayed a glyphosate herbicide. Testing on the volunteers revealed the plants were glyphosate resistant. As there have been no releases of genetically modified (GM) wheat (to the public), we (APHIS) were requested to do an investigation to determine how this GM wheat came to be in the environment.

I informed (b)(6), (b)(7) the reason I wanted to talk with him was to determine what cultivar/variety of wheat he was using in the testing of MON71800. The notification he is mentioned in was from (b)(6). I also told him we were looking into the possible contamination or cross contamination in any of the MON71800 testing with which he was involved.

(b)(6), (b)(7) told me he did not remember much about this research because it was more than (b)(6) years ago. He has (b)(6), (b)(7) for about (b)(6) years and he does not have any of the paperwork or any of the material from the test plots. (b)(6), (b)(7) said, to the best of his memory, all of the seed used in the glyphosate resistant field trials was supplied and shipped to him from Monsanto. (b)(6), (b)(7) said he does not remember which varieties of wheat he was growing. (b)(6), (b)(7) said he turned over all of his information to Monsanto when he retired.



I asked (b)(6), (b)(7) about the safeguarding of the test plots and the protocols used during all aspects of the handling of the transformed lines.

(b)(6), (b)(7) responded by saying, whatever the protocol instructions were, from both the USDA and from Monsanto, they followed the protocols. He went on to explain that he was very careful when he was handling this material because he was worried that something like this might happen. He said he even took greater precautions than was required, he did not want any of this escaping and getting into the environment.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 22, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C)

On 07/26/13, I spoke with (b)(6), (b)(7)(C) owner operator of (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (phone), (b)(6), (b)(7)(C) (phone), (b)(6), (b)(7) (fax), (b)(6), (b)(7)(C) (e-mail address).

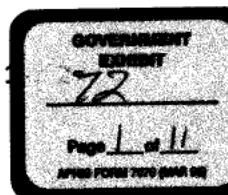
I explained to (b)(6), (b)(7)(C) the purpose of my contacting him was to obtain information from him regarding his work and or involvement in research conducted on glyphosate resistant wheat and more specifically with the introduction of MON71800 transformation into wheat. I also talked with (b)(6), (b)(7)(C) about the different varieties of wheat he used in this research, whether he had experienced any occurrences of possible contamination or cross contamination in any of the MON71800 testing with which he was involved. I also talked with (b)(6), (b)(7)(C) about the NS Expt. lines, WPB Expt. Lines mentioned in the Notifications with which he was involved, and the market class of the wheat involved.

(b)(6), (b)(7)(C) stated most of his research was with hard red varieties although he did work with two white wheat varieties. These two white varieties were (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). He does not know exactly what these varieties were because they came from Monsanto. The objective of his work was not research; it was to increase seed quantities of Roundup Ready wheat lines, for Monsanto.

(b)(6), (b)(7)(C) said, when Monsanto decided to discontinue the Roundup Ready project, he sent all of the seed to Monsanto in Missouri (MO). He went on to say, he buried all unused seed in the field and he burned all bags and containers from the seed in the field. I asked (b)(6), (b)(7)(C) if he had any information as to when he sent the seed to MO. I also asked him if he had information as to how much seed he sent to MO.

(b)(6), (b)(7)(C) said he sent (b)(6), (b)(7)(C) pounds of (b)(6), (b)(7)(C) varieties of seed to Monsanto in (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) answered several questions regarding the actual wheat grow plot sites where he was attempting to increase the Roundup Ready seed.



(b) [REDACTED] said these plots were under his direct supervision and does not remember any instance of a breach in the security or safeguarding to the test plots but related the plots were not under guard or behind locked fences.

(b)(6), (b) [REDACTED] said the equipment used in the grow plots were thoroughly cleaned prior to being removed from a field and prior to being used in another plot or on another variety. Because of the crop spacing and the way he handled everything he is certain there was no contamination or cross contamination with the MON71800 grow plots. He said he always followed the guidelines mandated by APHIS and Monsanto. (b) [REDACTED] described how he always maintained at least the minimum spacing (according to APHIS and Monsanto guidance) between plant varieties and plant species as required.

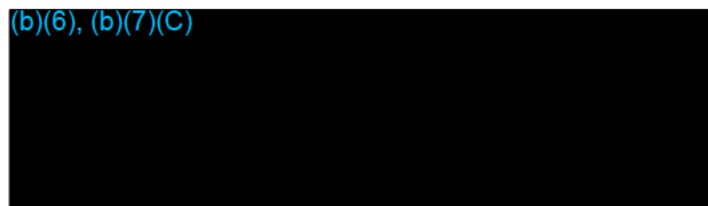
(b)(6), (b) [REDACTED] said, to the best of his knowledge he never had an instance where Monsanto sent the wrong seed and he did not send any wrong seed to Monsanto. He is confident that they did not have any seed for which he could not account.

(b)(6), (b) [REDACTED] said that he would e-mail me any information he had on this grow operation.

Later that day I received an e-mail with an attachment from (b)(6), (b) [REDACTED] which contained the information he had supplied on our phone call.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. I executed this declaration on September 22, 2013.

(b)(6), (b)(7)(C)



(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES

(b)(6), (b)(7)(C) - APHIS

From: (b)(6), (b)(7)(C)
Sent: Friday, July 26, 2013 12:32 PM
To: (b)(6), (b)(7) - APHIS
Cc: (b)(6), (b)(7)
Subject: Your Inquiry- RR Wheat USDA Notification: (b)(4), (b)
Attachments: RRWheat-USDA (b)(4), (b)(6), f

(b) (4)

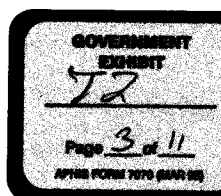


From: (b)(6), (b)(7)(C) - APHIS (b)(6), (b)(7)(C)@aphis.usda.gov]
Sent: Friday, July 26, 2013 10:41 AM
To: (b)(6), (b)(7)(C)
Subject:

(b)(6), (b)(7)(C)

(b)(6), Investigator
USDA, APHIS, IES
(b)(6), (b)(7)
(b)(6), (b)(7)@aphis.usda.gov

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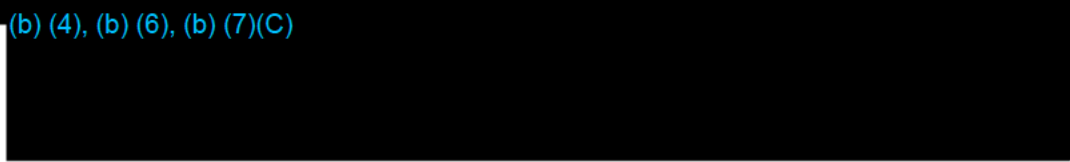
FAXED
11/28/03

**PLANTING INFORMATION AND CERTIFICATION OF FIELD
TRIAL COMPLIANCE**

(b) (4)



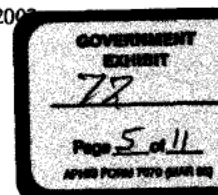
(b) (4), (b) (6), (b) (7)(C)



page 1 of 2
Rev: 02/200

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GOVERNMENT EXPENDITURE
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(b) (4), (b) (6), (b) (7)(C)

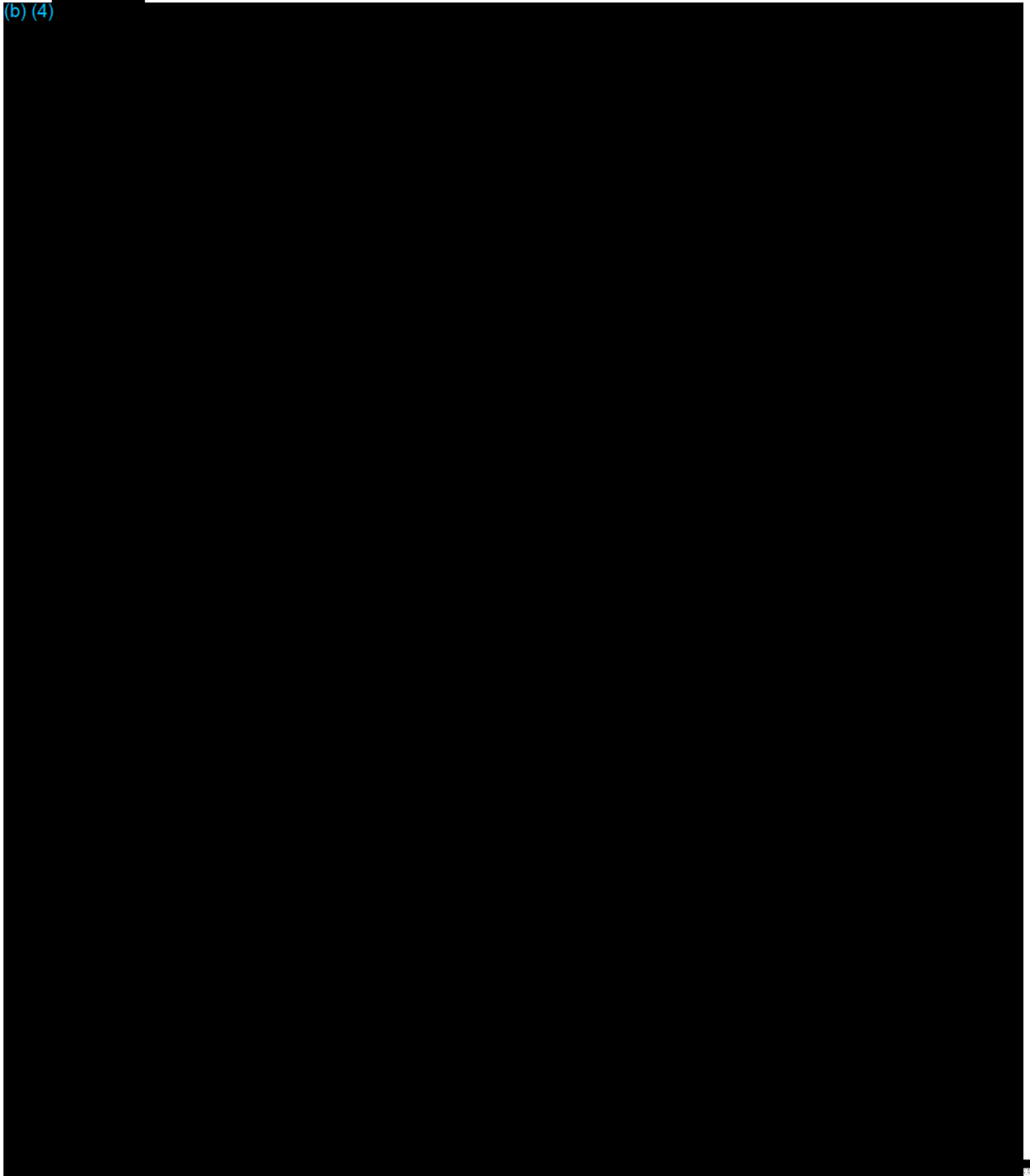
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AT

Footnote

(b)(6), (b)

(b) (4)



(b)(6), (b)(7)

(b) (4)



OR120018_BR_002711



OR120018_BR_002713



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C).

On 06/26/13, (b)(6), (b)(7) IES Investigator (Investigator (b)(6), spoke with (b)(6), (b)(7)(C) (b)(6), (b)(7) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C). Her contact information is (b)(6), (b)(7) (office), (b)(6), (b)(7) (fax), (b)(6), (b)(7)(C) (e-mail address). Investigator (b)(6), made arrangements for me to travel to (b)(6), to make copies of the paperwork from her research having to do with work and or involvement with research conducted by her on glyphosate resistant wheat and specifically with the introduction of MON71800 transformation.

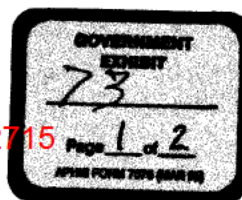
On 07/02/13, I was at (b)(6), (b)(7)(C) making photocopies of paperwork relating to research work performed by (b)(6), (b)(7). While I was making copies, (b)(6), (b)(7) stopped by to introduce herself but did not have time to talk. I told her that I would probably be getting back in touch with her about the research she had been doing concerning glyphosate resistant wheat.

On 07/25/13, I attempted to contact (b)(6), (b)(7) by phone, she did not answer so I left a message for to call me at her at her earliest convenience.

On 07/29/13, (b)(6), (b)(7) called and we spoke. (b)(6), (b)(7) stated that she remembered me from when I had been to her office earlier in the month (making photocopies of her paperwork on test plots she had conducted).

I informed (b)(6), (b)(7) the reason I wanted to talk with her was to determine what the cultivar/variety of the "Elite Lines" of wheat were which are noted in the notification/permit from research she had completed in (b)(6). I also told her we were looking into the possible contamination or cross contamination in any of the MON71800 testing with which she was involved.

(b)(6), (b)(7) stated that she does not remember for sure but though most of her research was with hard red wheat varieties. She said he worked with many different varieties including elite and experimental lines. She does not remember what most of varieties were because it



was mostly seed which Monsanto sent her and she never did know the variety. Some of the seed with which she worked, she did not even know the market class.

I asked (b)(6), (b)(7) if she had or could find any of the information about the market class or varieties with which she was working.

(b)(6), (b)(7) said she does not know if she has any of the information and would not know where to find it if she did. She said if there is any information from that far back ((b) years ago) Monsanto would be where that information would be.

(b)(6), (b) said that she had other commitments and would have to get off the phone but conclude our phone call by saying, Monsanto should be able to answer any questions we had and would have any information for which we need.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 20, 2013.

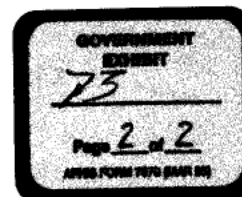
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES

OR120018_BR_002717



Page 2 of 2

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/22/13, I contacted (b)(6), (b)(7)(C), (b)(6), (b)(7)(C)

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was the varieties and market classes of the Elite lines of wheat that he had used in the field trials he had conducted in conjunction with MONSANTO for glyphosate resistant wheat field trials, Notifications Numbers (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C).

On 07/22/13, when I initially contacted (b)(6), (b)(7)(C) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from him regarding some field trials he had conducted on wheat with MONSANTO and asked him to please return my call at his earliest conveyance.

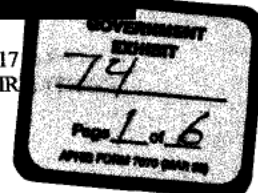
In the late afternoon of 07/22/13, (b)(6), (b)(7)(C) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7)(C) that I had been asked to contact him and obtain information from him regarding the varieties and market classes of the Elite lines of wheat that he had used in the field trials he had conducted in conjunction with MONSANTO on glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated that the market class of all the wheat in his field trials was Hard Red Spring Wheat (HRS). (b)(6), (b)(7)(C) then stated he did have the information on the Elite lines of wheat he had used in these field trials, but it would take him some time to find this information and get it together for me, he then stated that he would be able to fax me the information I was looking for the following morning.

Subscribed, executed, and affirmed to
On this 23rd day of July, 2013.

(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS
AUTHORITY NO: (b)(6), (b)(7)(C)

OR120018_BR_002719



Declaration of (b)(6), (b)(7)(C)

I told (b)(6), (b) that would be fine; I then thanked (b)(6), (b) for his time and cooperation in this matter, and provided him with my fax number.

On 07/23/13, I received a fax from (b)(6), (b) containing four pages including the cover page.

Pages numbers two and three of this faxed document (document pages 1 of 4 and 2 of 4) documents the (b)(6), (b)(7) Elite lines of HRS wheat that (b)(6), (b) had used in the field trials he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, field trial Notification Number (b)(6), (b)(7)(C).

Page number four of this faxed document (document page 1) documents the (b)(6), (b)(7) Elite lines of HRS wheat that (b)(6), (b) had used in the field trials he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, field trial Notification Number (b)(6), (b)(7)(C).

Enclosures:

Four-page fax received from (b)(6), (b) on 07/23/13, containing information on the Elite lines of HRS wheat that (b)(6), (b) had used in the field trials he had conducted in conjunction with MONSANTO for glyphosate resistant wheat field, trials Notifications Numbers (b)(6), (b)(7)(C).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.
This declaration consists of two pages.

End of Statement

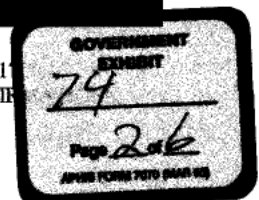
(b)(6), (b)
(7)(C)

Subscribed, executed, and affirmed to
On this 23rd day of July, 2013.

(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2211
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS
AUTHORITY NO: (b)(6), (b)

OR120018_BR_002721



(b)(6), (b)(7)(C)

FAX Transmittal Form

Date: 7-23-134 Number of pages including cover pageTO: Don Borchert - USDA

FROM:

(b)(6), (b)(7)(c)

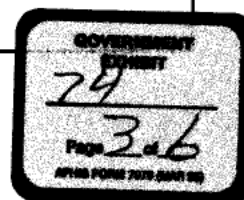
FAX:

(b)(6), (b)(7)(c)

MESSAGE:

(b)(6), (b)(7)(c)

West Central Research & Outreach Center
University of Minnesota
46362 State Hwy 329
Morris, MN 56267



OR120018_BR_002723

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the afternoon of 07/22/13, I contacted (b)(6), (b)(7)(C)

via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7) was the varieties and market classes of all of the wheat that he had used in the field trials he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C).

On 07/22/13, when I initially contacted (b)(6), (b)(7) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from him regarding some field trials he had conducted on wheat with MONSANTO and asked him to please return my call at his earliest conveyance.

In the late afternoon of 07/24/13, (b)(6), (b)(7) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I had been asked to contact him and obtain information from him regarding all the varieties and market classes of the wheat that he had used in the field trials he had conducted in conjunction with MONSANTO on glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C). (b)(6), (b)(7) stated that he had reviewed all the documents he had regarding the field trials / notifications in question including his field notes and nowhere in any of these documents had the varieties and market classes of wheat being used been recorded. (b)(6), (b)(7) went on to say he had also gone through all the documents and field notes of four other researchers who had worked on these field trials / notifications with him and there was no mention of the varieties or market classes of wheat that had been used in these individuals records either.

Subscribed, executed, and affirmed to
On this 24th day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

(b)(6), (b)(7) then stated that he felt that because no one working on the field trials / notifications in question had recorded the varieties or market class of the wheat being used in any of their field notes or other documents, he felt that MONSANTO must not have provided this information to them when MONSANTO provided them with the seed they used in these field trials / notifications.

(b)(6), (b)(7) did state that all the wheat that he and the others had conducted field trials on for the notifications in question would have been Hard Red Spring Wheat (HRS).

(b)(6), (b)(7) then stated that (b)(6), (b)(7) (b)(6), (b)(7)(C) researcher who was involved with the field trials / notifications in question might possibly know something about the varieties of wheat that were used in these field trials / notifications. (b)(6), (b)(7) then provided me with (b)(6), (b)(7)(C) phone number (b)(6), (b)(7)(C) (b)(7)(C)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.
This declaration consists of two pages.

End of Statement

(b)(6),
(b)(7)(C)

Subscribed, executed, and affirmed to
On this 24th day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the afternoon of 07/24/13, I contacted (b)(6), (b)(7)(C), via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7) was the varieties and market classes of all of the wheat that had been used in the field trials he, and (b)(6), (b)(7)(C) had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C).

On 07/24/13, when I initially contacted (b)(6), (b)(7) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from him regarding some field trials he and (b)(6), (b)(7)(C) had conducted on wheat with MONSANTO and asked him to please return my call at his earliest conveyance.

In the late afternoon of 07/26/13, (b)(6), (b)(7) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I had been asked to contact (b)(6), (b)(7)(C) and obtain information from him regarding all of the varieties and market classes of the wheat that he had used in the field trials he had conducted in conjunction with MONSANTO on glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C). I told (b)(6), (b)(7) that (b)(6), (b)(7) had told me that he had reviewed all the documents he had regarding the field trials / notifications in question including his field notes and nowhere in any of these documents had the varieties or market class of the wheat being used in these field trials / notifications been recorded.

Subscribed, executed, and affirmed to
On this 24th day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR120013_BR_002734

Declaration of (b)(6), (b)(7)(C)

I then told (b)(6), (b)(7) that (b)(6), (b)(7) had suggested that I call him because he had also been involved with the field trials / notifications in question and he might possibly know or recall something about the varieties and classes of wheat that were used in these field trials / notifications.

(b)(6), (b)(7) stated that all the wheat used in the field trials / notifications in question would have been Hard Red Spring Wheat (HRS).

(b)(6), (b)(7) stated that as he recalled the varieties of wheat that were used were:

- (b)(6), (b)(7)(C)

-

-

Enclosures:

- 1) Information on (b) HRS obtained from the (b)(6), web site.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of two pages.

End of Statement

(b)(6),
(b)(7)(C)

Subscribed, executed, and affirmed to
On this 24th day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR120018_BR_002736

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/23/13, I attempted to contact researcher (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6) was to obtain information from her regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was the varieties and market classes of the Elite lines of wheat that she had used in the field trial she had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C).

On the morning of 07/23/13, when I attempted to contact (b)(6), (b)(7)(C) I learned from a secretary (b)(6), that (b)(6), (b)(7)(C) was no longer affiliated with (b)(6), (b)(7)(C). Upon learning that (b)(6), (b)(7)(C) was no longer with (b)(6), I identified myself as an investigator with USDA and informed (b)(6), that I had called attempting to contact (b)(6), (b)(7)(C) in order to obtain information from her regarding research she had conducted in conjunction with MONSANTO while at (b)(6), (b)(7)(C) regarding glyphosate resistant. I then asked the (b)(6), if she could put me touch with someone else at (b)(6), (b)(7)(C) who might be able to help me obtain this information. (b)(6), informed me that (b)(6), (b)(7)(C) would be the person most likely able to help me. She then provided me with (b)(6), (b)(7)(C) phone number (b)(6), (b)(7)(C) and e-mail address.

After ending my conversation with (b)(6), (b)(7)(C) I attempted to contact (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from (b)(6), (b)(7)(C) regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

Subscribed, executed, and affirmed to
On this 12th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

The information I was seeking to obtain from (b)(6), (b)(7) (b)(6), was the varieties and market classes of the Elite lines of wheat that she had used in the field trial she had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)

On 07/23/13, when I initially contacted (b)(6), (b)(7) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from (b)(6), regarding some field trials that (b)(6), (b)(7)(C) had conducted on glyphosate resistant wheat with MONSANTO. I then asked (b)(6), (b)(7) to please return my call at his earliest conveyance.

In the late afternoon of 07/23/13, (b)(6), (b)(7) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I had been asked to contact (b)(6), (b)(7)(C) to obtain information from her regarding the varieties and market classes of the Elite lines of wheat that she had used in the field trials that she had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C).

(b)(6), (b)(7) stated that he was out of the office until the week of 08/05/13, but he thought he could get me the information I was seeking when he got back to his office. I then left (b)(6), my contact information and asked him to please contact me if he needed anything regarding my request.

On the morning of 08/06/13, I attempted to contact (b)(6), (b)(7) via phone to inquire as to if he had been able to locate the information I was seeking regarding (b)(6), (b)(7) field trials. At this time I learned that (b)(6), (b)(7) was out of the office until 08/09/13. I then sent (b)(6), (b)(7) an e-mail in which I restated the information I was seeking from him and inquiring if he had been able to locate the information I was seeking.

On the morning of 08/12/13, after not receiving a reply from (b)(6), (b)(7) I again attempted to contact (b)(6), (b)(7) via phone call. At this time, no one answered my phone call at this time so I left a message on (b)(6), (b)(7)(C) phone inquiring as to if he had had an opportunity to locate the information we had talked about regarding (b)(6), (b)(7) field trials.

On the afternoon of 08/12/13, (b)(6), (b)(7) returned my phone call, at this time (b)(6), (b)(7) provided me with the following information regarding the varieties and market classes of the Elite lines of wheat that (b)(6), (b)(7)(C) had used in the field trial she / (b)(6), had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 12th day of August, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

(b)(6), (b)(7) stated that (b)(6), (b)(7)(C) / (b)(6), had used the same two varieties of Elite lines of wheat for both notifications numbers (b)(6), (b)(7)(C)

(b)(6), (b)(7) also stated that both of these varieties had been of the market class Hard Red Spring (HRS) wheat.

(b)(6), (b)(7) stated the varieties (b)(6), (b)(7)(C) / (b)(6), used in the field trials in question were: (b)(7)

(b)(6), (b)(7)(C)

(b)(6), (b)(7) stated that (b)(6), had sent these two varieties to MONSANTO and MONSANTO then crossed them with their (b)(6), (b)(7) wheat variety, which had the glyphosate resistant gene in it and then MONSANTO sent this crossbred seed containing the glyphosate resistant gene back to (b)(6), for planting.

(b)(6), (b)(7) stated that (b)(6), kept seed from these initial plantings and replanted this seed in additional field trials until (b)(6), when glyphosate resistant wheat field trials were ended.

(b)(6), (b)(7) stated that all the field trials (b)(6), had conducted with glyphosate resistant wheat were conducted on the (b)(6), campus. (b)(7)

(b)(6), (b)(7) stated the seed from these glyphosate resistant wheat field trials was never held in the same facilities as non- glyphosate resistant wheat at (b)(6),

(b)(6), (b)(7) stated that at the end of (b)(6), (b)(7) field trials with MONSANTO with glyphosate resistant wheat in (b)(6), the seed plots used were plowed under and monitored for volunteers as the protocol had called for.

(b)(6), (b)(7) stated that most of the seed (b)(6), had gotten from these glyphosate resistant field trials was destroyed by incineration at (b)(6), but some was sent to a government holding site in Colorado. (b)(7)

(b)(6), (b)(7) also stated some of this seed from these field trials was securely held by (b)(6), for two years after the field trials had ended and then it was incinerated by (b)(6), as per their protocol. (b)(7)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of three pages.

(b)(6), (b)(7)(C)

End of Statement

Subscribed, executed, and affirmed to
On this 12th day of August, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR128013_BR_002742

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/23/13, I contact (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was:

- 1) The varieties and market classes of the Elite lines of wheat that he had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)
- 2) The varieties and market classes of the Elite lines of wheat that he and (b)(6), (b)(7)(C) had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)
- 3) The varieties and market classes of the Advanced Breeding lines of wheat that he and (b)(6) had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)

On 07/23/13, when I contact (b)(6), (b)(7)(C) I identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7)(C) that I was seeking to gather information from him regarding some field trials that he and (b)(6), (b)(7)(C) had conducted on glyphosate resistant wheat with MONSANTO.

Subscribed, executed, and affirmed to
On this 23rd day of September, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

I also told (b)(6), (b)(7) that I had spoken with (b)(6), (b)(7) regarding (b) notifications that he was the researcher of record for and had had conducted in conjunction with MONSANTO for glyphosate resistant wheat and (b)(6), (b)(7) had told me that he did not have any of the information on these field trials. I then told (b)(6), (b)(7) that (b)(6), (b)(7) had told me that he had been the lead researcher on these field trials and that had he kept all the records on these field trials and he would be able to provide me with the information I was seeking.

(b)(6), (b)(7) confirmed that he had been the (b)(6), (b)(7)(C) for all the notification numbers in question, he then stated that he could provide me with the information I was seeking but due to harvest it would be mid to late August before he got this information to me. (b)(6), (b)(7) then asked me to send him an e-mail containing all the information I was seeking.

On 07/23/13, I sent (b)(6), (b)(7) an e-mail, which contained the information I was requesting he provide me.

On 07/26/13, (b)(6), (b)(7) sent me a research paper he and others researches had prepared to document their study's with glyphosate resistant wheat. A copy of this research paper (b)(6), (b)(7)(C)

is attached

On 08/16/13, I contacted (b)(6), (b)(7) via e-mail to inquire how his search for the information I had request was coming along and to get an approximate date that he would be able get this information to me. (b)(6), (b)(7) replied to my e-mail stating that he had not had much time to look for the information that I had requested do to being very busy with harvest and attending conferences.

On 09/09/13, I again contacted (b)(6), (b)(7) via e-mail to inquire how his search for the information I had request was coming along and to get an approximate date that he would be able get this information to me. (b)(6), (b)(7) replied to my e-mail stating that he was working on it between classes and would get it to me as soon as possible.

On 09/13/13, (b)(6), (b)(7) sent me via e-mail several Excel Spread Sheets contain the information which I had request from him. A CD containing these spread sheets is attached.

Note: I believe the research paper and CD, which I received from (b)(6), (b)(7) may contain valuable information related to this case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of two pages.

End of Statement (b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 23rd day of September, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR 120018 BR 002746

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the afternoon of 07/26/13, I contacted (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from (b)(6), regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was the varieties and market classes of the Elite lines of wheat that (b)(6), (b)(7)(C) had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local Breeding lines of wheat that (b)(6), (b)(7)(C) had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C).

On 07/26/13, when I initially contacted (b)(6), (b)(7)(C) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from (b)(6), regarding some field trials that (b)(6), (b)(7)(C) had conducted on wheat with MONSANTO. I also informed (b)(6), that I had spoken to both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and that (b)(6), (b)(7)(C) had recently informed me that he had located the information I had requested and that he had also received approval from MONSANTO to provide me with this information. I then told (b)(6), that (b)(6), (b)(7)(C) had requested that I contact him and make a formal request for this information prior to him providing me with it. I then asked (b)(6), (b)(7)(C) to please return my call at his earliest conveyance so we could discuss the procedure required for me to request this information and receive it from (b)(6), (b)(7)(C).

Subscribed, executed, and affirmed to
On this 31st day of July, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

In the late afternoon of 07/26/13, (b)(6), (b)(7) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I had been asked to contact (b)(6), (b)(7)(C) and obtain information from him regarding the varieties and market classes of the Elite lines of wheat that he had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local Breeding lines of wheat that he had used in the field trial that he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C)

I then explained to (b)(6), (b)(7) that I had spoken to both (b)(6), (b)(7) and (b)(6), (b)(7) and that (b)(6), (b)(7) had recently informed me that he had located the information I had requested and that he had also received approval from MONSANTO to provide me with this information. I then told (b)(6), (b)(7) that (b)(6), (b)(7) had requested that I contact him and make a formal request for this information prior to him providing me with it. I then asked (b)(6), (b)(7) what procedure he required for me to request this information and receive it from (b)(6), (b)(7)

(b)(6), (b)(7) stated he had not been contacted by (b)(6), (b)(7) regarding this matter and that he would contact (b)(6), (b)(7) and to get all the information and get back to me.

I told (b)(6), (b)(7) that this information was needed from (b)(6), as soon as possible due to the high importance of this issue for national trade issues. I also stated that if he needed anything regarding this request to please let me know and I then provided him with my contact information. (b)(6), (b)(7) stated he would get back to me after he talked to (b)(6), (b)(7) and we ended our phone conversation.

On the morning of 07/29/13, I again contacted (b)(6), (b)(7) via phone to inquire as to when I might receive the information I had requested from (b)(6), (b)(7)(C). At this, time (b)(6), (b)(7) with some attitude stated that he / (b)(6), were not going to provide me with any information prior to getting approval to do so from (b)(6), (b)(7)(C). I informed (b)(6), (b)(7) that (b)(6), (b)(7) had told me on 07/26/13, that he had already received approval from MONSANTO to release the requested information to me and I was just checking with him to see if I needed to do anything to expedite my receiving this information as quickly as possible. I then again told (b)(6), (b)(7) that USDA needed this information from (b)(6), as soon as possible due to the high importance of this issue for national trade issues. I also informed (b)(6), (b)(7) that this case was very high profile and that I would appreciate his cooperation in obtaining this information as soon as possible.

(b)(6), (b)(7) stated he would be getting back to me with the information requested soon.

Subscribed, executed, and affirmed to
On this 31st day of July, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR 120018 BR 002750

Declaration of (b)(6), (b)(7)(C)

On the afternoon of 07/31/13, (b)(6), (b)(7) contracted me via phone and informed me that he / (b)(6), (b)(7) had received permission from MONSANTO to provide me with the information I had requested. (b)(6), (b)(7) then informed me that he had authorized (b)(6), (b)(7) to provide me with the information I had requested. He then stated that I should contact (b)(6), (b)(7) directly and request the information from him again and (b)(6), (b)(7) would provide this information to me directly.

Immediately after receiving this call from (b)(6), (b)(7) I contacted (b)(6), (b)(7) via phone to request he provide me with the information referenced above. At this time, (b)(6), (b)(7) requested that I e-mail him my request stating what information I was requesting.

On 07/31/13, I sent (b)(6), (b)(7) an e-mail in which I provided him with the information I was seeking to gather from him regarding (b)(6), (b)(7) research.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of three pages.

End of Statement

(b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 31st day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR 120218_BR_002752

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/23/13, I contact (b)(6), (b)(7)(C)

via phone at (b)(6), (b)(7)(C)

My purpose for contacting (b)(6), (b)(7) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7) was:

- 1) the varieties and market classes of the Elite lines of wheat that he had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)
- 2) the varieties and market classes of the Advanced Breeding lines of wheat that he had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notifications Numbers (b)(6), (b)(7)(C)

On 07/23/13, when I contact (b)(6), (b)(7) I identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I was seeking to gather information from him regarding some field trials that he had conducted on glyphosate resistant wheat with MONSANTO.

(b)(6), (b)(7) stated that he did not have any of the information on these field trials. He then stated that (b)(6), (b)(7)(C) was the (b)(6), (b)(7)(C) on these field trials and (b)(6), (b)(7) was the one that had kept all the records on these field trials and he would be able to provide me with the information I was seeking.

(b)(6), (b)(7) then provided me with (b)(6), (b)(7)(C) contact information. After concluding my conversation with (b)(6), (b)(7) I immediately called (b)(6), (b)(7) to obtain the information I was seeking.

Subscribed, executed, and affirmed to
On this 23rd day of July, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

BR 002754

Declaration of (b)(6), (b)(7)(C)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of one page.

End of Statement

(b)(6), (b)
(7)(C)

Subscribed, executed, and affirmed to
On this 23rd day of July, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

CR-200-18-BR_002756

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/22/13, I attempted to contact (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C)

My purpose for contacting (b)(6), (b)(7) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7) was the varieties and market classes of the Elite lines of wheat that he had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local Breed lines of the wheat that he had used in the field trial he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C)

On 07/22/13, when I attempted to contact (b)(6), (b)(7) learned that he (b)(6), (b) from (b)(6), I then located (b)(6), (b)(7) home phone number (b)(6), (b)(7)(C) and spoke with via phone at which time I identified myself as an investigator with USDA, APHIS, IES. I informed (b) that I was seeking to gather information from him regarding some field trials he had conducted on glyphosate resistant wheat in conjunction with MONSANTO and asked him if he could help me with this matter.

(b)(6), (b)(7) stated that he (b)(6), (b) from (b)(6), some time ago and when doing so he had left all his records and field books at the (b)(6), (b)(7)(C) at (b)(6), (b)(6), (b)(7) stated that (b)(6), (b)(7)(C) had replaced him at the (b)(6), (b)(6), (b)(7)(C) he should be able to access all of his records regarding these field trials / notifications.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of one page.

End of Statement

Subscribed, executed, and affirmed to
On this 22nd day of July, 2013.



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR120018_BR_002758

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/22/13, I contacted (b)(6), (b)(7)(C), via phone at (b)(6), (b)(7)(C).

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was the varieties and market classes of the Elite lines of wheat that (b)(6), (b)(7)(C) had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local Breeding lines of wheat that (b)(6), (b)(7)(C) had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C).

On 07/22/13, when I initially contacted (b)(6), (b)(7)(C) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from him regarding some field trials that (b)(6), (b)(7)(C) had conducted on wheat with MONSANTO and asked him to please return my call at his earliest conveyance.

In the late afternoon of 07/23/13, (b)(6), (b)(7)(C) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7)(C) that I had been asked to contact (b)(6), (b)(7)(C) and obtain information from him regarding the varieties and market classes of the Elite lines of wheat that he had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local Breeding lines of wheat that he had used in the field trial that he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C).

Subscribed, executed, and affirmed to
On this 6th day of August, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

AFR 120018 BR 002760

Declaration of (b)(6), (b)(7)(C)

I then explained to (b)(6), (b)(7) that I had spoken with (b)(6), (b)(7)(C) regarding this matter and that (b)(6), (b)(7) had told me that he had left all of his records regarding the field trials / notifications in question at the (b)(6), (b)(6), (b)(7)(C), (b)(7)(C) when he (b)(6), (b)(7) I then told (b)(6), (b)(7) that (b)(6), (b)(7) had told me that he should be able to access these old records and provide me with the information I was looking for.

(b)(6), (b)(7) stated that he would look through the old records and see what he could find regarding the field trials / notifications in question and get back to me.

On the morning of 07/26/13, I contacted (b)(6), (b)(7) via phone to see if he had been able to locate the records regarding (b)(6), (b)(7) field trials. At this time, (b)(6), (b)(7) stated that he had located the records of (b)(6), (b)(7) field trials and had found the information that I had requested. (b)(6), (b)(7) then stated that because of confidentiality agreements that (b)(6), (b)(7) had signed with MONSANTO, he had contacted MONSANTO and had gotten approval to provide me with this information. (b)(6), (b)(7) then stated that before he provided me with this information he would like me to formally request the information be provided to me by contacting (b)(6), (b)(7)(C)

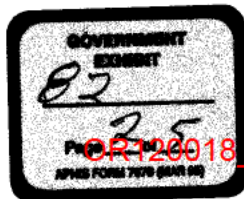
Immediately after speaking with (b)(6), (b)(7)(C) I contacted (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C) to request that the information referenced above be provided to me.

On 07/26/13, when I initially contacted (b)(6), (b)(7) he was not in his office so I left him a message in which I identified myself as an investigator with USDA, APHIS, IES. I then informed him that I was seeking to gather information from (b)(6), (b)(7) regarding some field trials that (b)(6), (b)(7)(C) had conducted on wheat with MONSANTO. I also informed (b)(6), (b)(7) that I had spoken to both (b)(6), (b)(7) and (b)(6), (b)(7) and that (b)(6), (b)(7) had recently informed me that he had located the information I had requested and that he had also received approval from MONSANTO to provide me with this information. I then told (b)(6), (b)(7) that (b)(6), (b)(7) had requested that I contact him and make a formal request for this information prior to him providing me with it. I then asked (b)(6), (b)(7) to please return my call at his earliest conveyance so we could discuss the procedure required for me to request this information and receive it from (b)(6), (b)(7)

In the late afternoon of 07/26/13, (b)(6), (b)(7) returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7) that I had been asked to contact (b)(6), (b)(7)(C) and obtain information from him regarding the varieties and market classes of the Elite lines of wheat that he had used in the field trial that had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) and the varieties and market classes of the Local

Subscribed, executed, and affirmed to
On this 6th day of August, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)

CP 120018_BR_002762

Declaration of (b)(6), (b)(7)(C)

Breeding lines of wheat that he had used in the field trial that he had conducted in conjunction with MONSANTO for glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C) [REDACTED]. I then explained to (b)(6), (b)(7) that I had spoken to both (b)(6), (b)(7) and (b)(6), (b)(7) and that (b)(6), (b)(7) had recently informed me that he had located the information I had requested and that he had also received approval from MONSANTO to provide me with this information. I then told (b)(6), (b)(7) that (b)(6), (b)(7) had requested that I contact him and make a formal request for this information prior to him providing me with it. I then asked (b)(6), (b)(7) what procedure he required for me to request this information and receive it from (b)(6), (b)(7).

(b)(6), (b)(7) stated he had not been contacted by (b)(6), (b)(7) regarding this matter and that he would contact (b)(6), (b)(7) and to get all the information and get back to me. I told (b)(6), (b)(7) that this information was needed from (b)(6), (b)(7) as soon as possible due to the high importance of this issue for national trade issues. I also stated that if he needed anything regarding this request to please let me know and I then provided him with my contact information. (b)(6), (b)(7) stated he would get back to me after he talked to (b)(6), (b)(7) and we ended our phone conversation.

On the afternoon of 07/31/13, (b)(6), (b)(7) contracted me via phone and informed me that he / (b)(6), (b)(7) had received permission from MONSANTO to provide me with the information I had requested. (b)(6), (b)(7) then informed me that he had authorized (b)(6), (b)(7) to provide me with the information I had requested. (b)(6), (b)(7) then stated that I should contact (b)(6), (b)(7) directly and request the information from him again and (b)(6), (b)(7) would provide this information to me directly.

Immediately after receiving this call from (b)(6), (b)(7) I contacted (b)(6), (b)(7) via phone to request he provide me with the information referenced above. At this time, (b)(6), (b)(7) requested that I e-mail him my request stating what information I was seeking in this e-mail. During my conversation with (b)(6), (b)(7) on 07/31/13, he stated that (b)(6), (b)(7) had sent the seed / plant material used in the field trials in question to MONSANTO headquarters where MONSANTO then placed the glyphosate resistant gene in it and then sent this seed / plant material back to (b)(6), (b)(7) for planting.

On 07/31/13, I sent (b)(6), (b)(7) an e-mail in which I provided him with the information I was seeking to gather from him / (b)(6), (b)(7) regarding (b)(6), (b)(7) research.

Subscribed, executed, and affirmed to
On this 6th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)

OR 120018_BR_002764

Declaration of (b)(6), (b)(7)(C)

On 08/05/13, (b)(6), (b)(7) provided me with the following information via e-mail.

(b)(6), (b)(7) states that in the summer of (b)(6), the yield trials conducted in the field did not include any materials with an (b)(6), background. He states all the seed material included in these trials was received from MONSANTO.

(b)(6), (b)(7) states that in (b)(6), (b)(7)(C), (Notifications Numbers (b)(6), (b)(7)(C)) nursery stock plants (nurseries) were grown in both greenhouses and or the field. (b)(6), (b)(7) states in the greenhouses, the nurseries included segregating material with (b)(6), germplasm. (b)(6), (b)(7) states in the field, a yield trial was conducted with MONSANTO material which was included in the (b) field trial. (b)(6), (b)(7) also states that nurseries with (b)(6), material (rows) were planted adjacent to this yield trial.

(b)(6), (b)(7) stated that (b)(6), provided MONSANTO with (b) varieties of wheat in which MONSANTO incorporated the glyphosate resistant gene (RR gene) and then returned to them for planting regarding Notifications Numbers (b)(6), (b)(7)(C).

(b)(6), (b)(7) provided a list of these (b) varieties and their market classes.

Genotype / Variety	Market class
(b)(6), (b)(7)(C)	

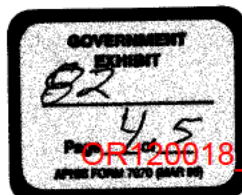
(b)(6), (b)(7) Notes:

That (b)(6), (b)(7)(C) originated from the Hard Red Spring Wheat (HRSW) breeding program, which was directed by (b)(6), (b)(7)(C)

But (b)(6), (b)(7)(C) were from the White Specialty Wheat breeding program, which was directed by (b)(6), (b)(7)(C)

(b)(6), (b)(7) stated that the White Specialty Wheat breeding program, which (b)(6), (b)(7)(C) directed was for Hard White Spring Wheat. .

Subscribed, executed, and affirmed to
On this 6th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR 120018 BR_002766

Declaration of (b)(6), (b)(7)(C)

(b)(6), (b)(7) states that from the above (b) lines provided to (b)(6), (b)(7)(C) by MONSANTO, (b)(6), (b)(7) were released as HRSW cultivars (b)(6), (b)(7)(C) (b)(7) (6)

(b)(6), (b)(7) states (b)(6), (b)(7)(C)
Both were HRSW.

Enclosures:

- 1) Copy of e-mail correspondence with (b)(6), (b)(7) including information received from (b)(6), (b)(7) regarding Notifications Numbers (b)(6), (b)(7)(C)
- 2) Information on the (b)(6), (b)(7) variety of HRSW.
- 3) Information on the (b)(6), (b)(7) variety of HRSW.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.
This declaration consists of two pages.

End of Statement

(b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 6th day of August, 2013.

(b)(6), (b)(7)(C)



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR 126013_BR_002768

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C). My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B, (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On the morning of 07/22/13, I contacted (b)(6), (b)(7)(C) via phone at (b)(6), (b)(7)(C)

My purpose for contacting (b)(6), (b)(7)(C) was to obtain information from him regarding USDA, APHIS's investigation into the unauthorized release of glyphosate resistant wheat in Oregon.

The information I was seeking to obtain from (b)(6), (b)(7)(C) was:

- 1) The varieties and market classes of the Elite lines of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7)(C) for glyphosate resistant wheat, field trial Notification Number (b)(6), (b)(7)(C)
- 2) The varieties and market classes of the Experimental lines of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7)(C) for glyphosate resistant wheat, field trial Notifications Numbers (b)(6), (b)(7)(C)
- 3) What variety and market class is (b)(6),
- 4) What variety and market class is (b)(6),

On 07/22/13, when I initially contacted (b)(6), (b)(7)(C) he was not in his office, his receptionist stated he was conducting a field tour at the time. I identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), (b)(7)(C) receptionist that I was seeking to gather information from (b)(6), (b)(7)(C) regarding some field trials he had conducted on wheat with (b)(6), (b)(7)(C) and asked her to please have (b)(6), (b)(7)(C) return my call at his earliest conveyance.

Subscribed, executed, and affirmed to
On this 5th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

Declaration of (b)(6), (b)(7)(C)

On the afternoon of 07/23/13, (b)(6), returned my phone call, at this time I again identified myself as an investigator with USDA, APHIS, IES. I then informed (b)(6), that I had been asked to contact him and obtain information from him regarding

- 1) The varieties and market classes of the (b)(6), (b)(7)(C) of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7)(C) on glyphosate resistant wheat, Notification Number (b)(6), (b)(7)(C)
- 2) The varieties and market classes of the Experimental lines of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7)(C) for glyphosate resistant wheat, field trial Notifications Numbers (b)(6), (b)(7)(C)
- 3) What variety and market class is (b)(6), ?
- 4) What variety and market class is (b)(6), ?
(b)(7)

At this, time (b)(6), stated that he would have to talk to (b)(6), (b)(7)(C). I told (b)(6), that that would be fine with me as (b)(6), (b)(7)(C) was well aware of this investigation, I then asked (b)(6), to call me back as soon as he could regarding this matter.

On the morning of 07/24/13, (b)(6), phoned me again, at this time, (b)(6), stated that he felt that USDA should be obtaining the information I was requesting from him directly from (b)(6), (b)(7)(C) had sent him the seed that he had used and they should have all the information I was looking for. I told (b)(6), that that may be true, but I had been asked to obtain this information from him because it had not been recorded on the documents filed regarding these (b)(6), (b)(7)(C). (b)(6), stated that he did have some number codes for the seed that he had used in these field trials. (b)(6), then stated that he had (b)(6), (b)(7)(C) and he was not willing to provide me with these number codes or any other information regarding the (b)(6), (b)(7)(C). I was inquiring about because he did not want to get in trouble with (b)(6), (b)(7)(C). I thanked (b)(6), for his time and told him if he changed his mind to please call me.

Note: (b)(6), did state during our conversations that all of the wheat he had used in the field trials in question had been of the market class (b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 5th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR-20018_BR_002772

Declaration of (b)(6), (b)(7)(C)

On 07/26/13, I phone (b)(6), at this time I asked (b)(6), if I sent him an e-mail requesting the above referenced information would he please seek (b)(6), (b)(7)(C) approval to provide me with the information I was requesting? (b)(6), agreed to forward this e-mail request to (b)(6), (b)(7) in order to seek their approval to release the information he had to me. On 07/26/13, I sent my request to (b)(6), via e-mail on this same day.

On 08/05/13, (b)(6), phoned me, at this time (b)(6), informed me that he had received (b)(6), (b)(7)(C) approval to provide me with the information, which I had request from him. I asked (b)(6), if he would like to e-mail his information. (b)(6), stated that he would prefer to give me the information over the phone, stating that way he would not have to send it to (b)(6), (b)(7) to get their approval before sending it to me.

On 08/05/13, (b)(6), stated that the (b)(6), (b)(7)(C) of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7)(C) on glyphosate resistant wheat Notification Number (b)(6), (b)(7)(C) were.

(b)(6),
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

On 08/05/13, (b)(6), stated that the Experimental lines of wheat that he had used in the field trials he had conducted in conjunction with (b)(6), (b)(7) on glyphosate resistant wheat Notifications Numbers (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) were.

(b)(6), (b)(7)(C)

Subscribed, executed, and affirmed to
On this 5th day of August, 2013.



(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C)

OR120018_BR_002773

Declaration of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), [REDACTED] stated that all of these varieties of wheat would have been of the market class (b)(6), (b)(7)(C) [REDACTED]

(b)(6), [REDACTED] stated that he did not know what varieties and market classes (b)(6), (b)(7)(C) [REDACTED] were, but he assumed that they were (b)(6), (b)(7)(C) [REDACTED] to because all the rest of the seed had (b)(6), (b)(7)(C) [REDACTED]. He also stated that he could not determine for sure from his records if he had even received any (b)(6), [REDACTED]

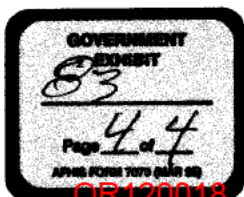
(b)(6), [REDACTED] stated that he had received all of the seed involved in these field trials / notifications from (b)(6), (b)(7)(C) [REDACTED] had already altered the genes of this seed before he had received it from them. He also stated that he did not think any of the seed was ever harvested from these plantings nor was any sent back to (b)(6), (b)(7)(C) [REDACTED]. (b)(6), [REDACTED] stated that he thought all of the plants from these field trials were worked into the ground after the field trial was over. He also stated that he had followed the protocol for monitoring these field trials for volunteers. (b)(6), [REDACTED] stated had and even monitored the (b)(6), [REDACTED] field trial for volunteers (b)(6), (b)(7)(C) [REDACTED] because of (b)(6), (b)(7)(C) [REDACTED] in that area because the seed could have been able to lay dormant for a longer time there before germinating due to the lack of moisture in the area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This declaration consists of four pages.

End of Statement (b)(6), (b)(7)(C) [REDACTED]

Subscribed, executed, and affirmed to
On this 5th day of August, 2013.



DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,
AUTHORITY NO: (b)(6), (b)(7)(C) [REDACTED]

OR120018_BR_002775

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) [REDACTED]. I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein are based on my personal firsthand knowledge:

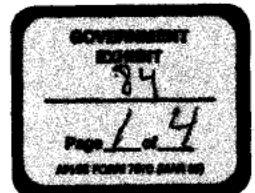
I am an Investigator employed by the United States Department of Agriculture (USDA), Animal & Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position since (b)(6), (b)(7)(C). My present regional work address is USDA, APHIS, IES, 2150 Centre Ave., Building (b)(6), (b)(7)(C) Fort Collins, CO 80526. My telephone number is (b)(6), (b)(7)(C).

I prepared this Declaration to document my conversation with (b)(6), (b)(7)(C) Ph. D., on 06/26/2013 and 06/27/2013 in his home, located at (b)(6), (b)(7)(C) with a contact phone number of (b)(6), (b)(7)(C). I explained to (b)(6), (b) that I am an investigator with the USDA investigating the discovery of glyphosate resistant wheat in Oregon, and I wanted to ask him questions regarding his involvement with the glyphosate resistant wheat trials and test plots in which he acted as an independent consultant for between (b)(6), (b)(7)(C). (b)(6), (b) willingly agreed to provide a statement, and explained that he obtained his undergraduate degrees in (b)(6), (b)(7)(C).

_____ in (b) (6), (b) (7)(C) stated he worked for a (b) (6), (b) (7)(C) for about (b) (6) years, and then as a (b) (6), (b) (7)(C) with (b) (6), (b) (7)(C) for almost (b) (6), years, before opening his own business, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b)(6), (b) explained that on 06/29/2001, (b)(6), (b)(7), an (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) contacted him. (b)(6), (b)(7) wanted to hire (b)(6), (b) to (b)(6), (b) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)



(b)(6), (b) stated that he did monitor glyphosate resistant wheat trials (b)(6), (b)(7)(C). (b)(6), (b) explained that due to the length of time that has passed, he cannot specifically recall much regarding his specific findings, but added that he had kept records and day planners for each year that he was in business. (b)(6), (b) stated that he was willing to provide copies of his records and day planner for the time he was involved. On 06/28/2013, (b)(6), (b) did provide copies of records (b)(6), (b)(7)(C) stions regarding the records came up, he would be willing to answer them. (b)(7)(C)

I declare under penalty of perjury that the foregoing statement is true and correct. I have executed this statement on 07/02/2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator



(b)(6), (b)(7) work/info from (b)(6), (b) Day planner

(b)(6), (b)(7)(C) contacted (b)(6), regarding glyphosate resistant wheat trials.

(b)(6), (b)(7) inspection at (b)(6), (b)(7)(C)

see permit (b)(6), (b)

(b)(6), (b) : Inspection at (b)(6), (b)(7)(C)

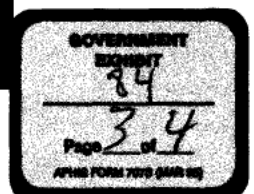
(b)(6), (b)(7) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

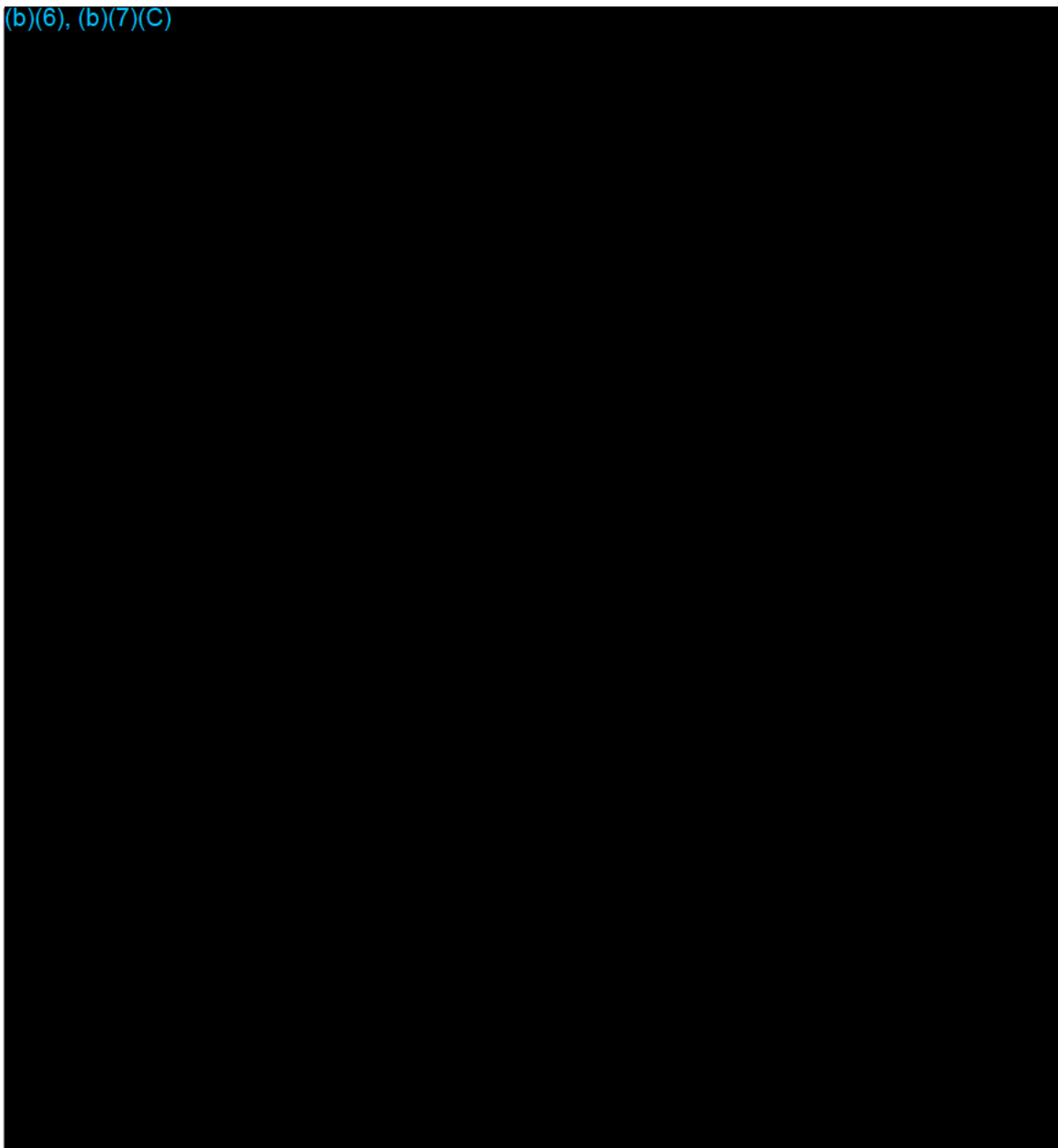
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6),
(b)(7)



(b)(6), (b)(7)(C)



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GOVERNMENT EXHIBIT 84 Page 4 of 4 APHIS FORM 7070 (MAR 99)
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From: Susan M Koehler
To: Ralph D Stoaks/CO/APHIS/USDA; Neil E Hoffman
Cc: Barbara A Chambers; George A Bruno
Subject: Re: GMO wheat plants
Date: Thursday, March 18, 2004 2:16:00 PM

Ralph,

I have forwarded this to Neil in case he feels any additional action is needed. Please address your compliance questions or issues to Neil in the future until such time that the new Compliance Director is hired.

Thanks,

Susan Koehler, Ph.D.
Branch Chief, Environmental and Ecological Analysis
Biotechnology Regulatory Services
USDA, Animal and Plant Health Inspection Service
(301) 734-4886

■ Ralph D Stoaks

Ralph D Stoaks To: Susan M Koehler/MD/APHIS/USDA@USDA
cc: George A Bruno/WA/APHIS/USDA@USDA, Barbara
Sent by: A Chambers/WA/APHIS/USDA@USDA
Ralph D Subject: GMO wheat plants
Stoaks

03/17/2004
09:45 AM

Susan,

In the attached summary of events by Officer George Bruno (Spokane, WA), I concur that all transgenic wheat was destroyed. The only advice I have is that the (b) planter should have been completely cleaned between trials and George needs to inform the company accordingly to prevent re-occurrence of this situation. It is commendable that the company disclosed the chain of events. I believe this case is closed unless I hear from you otherwise. Ralph

----- Forwarded by Ralph D Stoaks/CO/APHIS/USDA on 03/17/2004 06:49 AM -----

George A Bruno To: Ralph D Stoaks/CO/APHIS/USDA@USDA
cc: Steven M Miller/WA/APHIS/USDA@USDA, Barbara
A Chambers/WA/APHIS/USDA@USDA
03/16/2004 Subject: GMO wheat plants
03:49 PM

Ralph,

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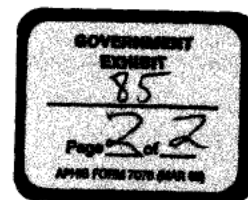


This is a follow-up to our telephone conversation regarding the three genetically engineered wheat plants that were received inadvertently by (b)(6), (b)(7)(C) Co. (b) in (b)(4), WA last year. This company uses only conventional breeding techniques and is not working with any GM wheat varieties or transgenic cultivars. One aspect of (b) research is breeding herbicide resistant traits into plants using conventional breeding. I received a telephone call from (b)(6), (b)(7)(C) on March 8, 2004 and was informed that while screening some wheat plants for herbicide tolerance they found three wheat plants resistant to the herbicide, Glyphosate. (b)(6), (b)(7)(C) related to me that (b) shipped some winter wheat seed to California in Fall 2002 for outdoor propagation in a field plot. This field plot consisted of only winter wheat seed received from (b)(6), (b)(7)(C) Last Fall, the winter wheat plants, (four to six leaf stage) which were propagated at this field site were shipped back to (b) in (b)(6), (b)(7)(C) WA where they were screened for herbicide tolerance traits. During this herbicide tolerance screening process three spring wheat plants were found to be resistant to the herbicide Glyphosate. (b)(6), (b)(7)(C) concluded that since only winter wheat seed was sent to California for germination it is probable that a few genetically engineered wheat seeds remaining in the planter from a previous biotech trial may have been caught up in the planter and accidentally seeded in with the winter wheat from Washington. (b) believes the timing of the planting in CA, late Fall, makes it unlikely that volunteer spring wheat plants were present in the field at the time of harvest. Pollenation would not be a concern given the stage of growth development of the plants at harvest. (b) indicated that all the seed and plant material originating from this trial has been destroyed by burning. It is my opinion that (b)(6), (b)(7)(C) took appropriate action by destroying all seed and plant material associated with the research and I believe the situation has been resolved.

Fall 2003

George Bruno
Domestic Programs Coordinator
USDA-APHIS-PPQ
222 N. Havana, Rm. (b)
Spokane, WA 99216 (b)
PH (b)(6), (b)(7)(C)
FAX (509) 353-2637

Fall 2002 - ~~California~~ Seeds sent from (b)(4) → Calif
Fall 2003 - Sent from Calif → (b)(4)
Fall-2003 - March 2004 - Screening shows 3
GE plants
3 GE spring wheat mixed in Winter wheat



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C)

On 09/10/13, I met with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) at (b)(6), (b)(7) (b)(6), (b)(7)(C) (mobile). Also present during the interview was (b)(6), (b)(7)(C) (Investigator (b)(6), (b)(7)(C) who was there to assist in the interview process.

I told (b)(6), (b)(7)(C) the reason I wanted to meet with him was to discuss an incident, which had occurred in 2004 while he was employed with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). I reminded (b)(6), (b)(7)(C) of the incident where (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) said he could not remember everything about the incident but from what he could remember (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) The company was working with a natural selection process to find wheat that was resistant to Roundup but these few plants were definitely more resistant than what they were working. When this was discovered that is when (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

When (b)(6), (b)(7)(C) discovered the problem, they contacted APHIS and a couple of people came out and witnessed the destruction of the plants.

(b)(6), (b)(7)(C) does not remember what variety of wheat they were working with at the time.

I asked him how this could have happened and where, in (b)(6), (b)(7)(C) send the seed.

(b)(6), (b)(7)(C) did not know where the seed was sent, he was not in charge of that part of the operation. (b)(6), (b)(7)(C) speculated that when the seed was sent to (b)(6), (b)(7)(C) the people down there must not have cleaned their equipment properly.

(b)(6), (b)(7)(C) was willing to tell us anything we wanted to know but he did not remember much more. He said, (b)(6), (b)(7)(C) The company was working with natural selection and did not want anything on the place



that was not from natural selection. The owner wanted nothing to do with GMO products of any kind. (b)(6), (b)(7)(C) had not kept in contact with other employees from the company. He said the CEO of the company (b)(6), (b)(7)(C) was (b)(6), (b)(7)(C) when he worked for him but he may live in (b)(6), (b)(7)(C). He thinks the (b)(6), (b)(7)(C) of the company (b)(6), (b)(7)(C) still lives in (b)(6), (b)(7)(C). The (b)(6), (b)(7)(C) might live in the (b)(6), (b)(7)(C) area. He does not know who may have more information on this incident. (b)(6), (b)(7)(C)

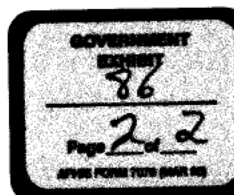
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 20, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C).

On 09/11/13, I spoke with (b)(6), (b)(7)(C) via telephone (b)(6), (b)(7) (home) (b)(6), (b)(7)(C) (cell). (b)(6), (b)(7)(C) said that in (b)(6), (b)(7)(C) he was working for a company by the name of (b)(6), (b)(7)(C) (6)

I explained to (b)(6), (b)(7)(C) the purpose of my contacting him was to obtain information from him regarding his work and or involvement in an incident from 2004 concerning wheat seed, which was sent to (b)(6), (b)(7)(C) in 2002 or 2003 and then shipped back to (b)(6), (b)(7)(C) in 2004. Supposedly the seed, which was returned to (b)(6), (b)(7)(C) from (b)(6), (b)(7)(C) was not the same as what was sent to (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) explained that he did not do any of the fieldwork. He said (b)(6), (b)(7)(C) hired him to (b)(6), (b)(7)(C) of the company. (b)(6), (b)(7)(C) said he did remember something about this and would look through whatever records he had to try to find out where the seed may have come.

On 09/16/13, (b)(6), (b)(7)(C) called and said to the best of his knowledge and what he could find out the seed may have come from somewhere in the (b)(6), (b)(7)(C) but he does not know for sure. (b)(6), (b)(7)(C) explained that the company records are mostly gone because (b)(6), (b)(7)(C). The owner of the company is (b)(6), (b)(7)(C) so he was not able to get any information from him. When asked if the seed could have come from a (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said he did not think so but he could not be sure.

(b)(6), (b)(7)(C) said, because he was not involved with any of the fieldwork or testing, there was nothing else with which he could help. He said if I thought of anything else he would be willing to talk with me.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. I executed this declaration on September 22, 2013.

OR120018_BR_002791



(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES

OR120018_BR_002793



Page 2 of 2

DECLARATION OF (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein based on personal firsthand knowledge:

1. I am an Investigator for Investigative and Enforcement Services (IES), Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA). I have been employed by USDA for over (b)(6), (b)(7)(C)

2. Sometime in June 2013, IES received an email from (b)(6), (b)(7) regarding GMO wheat which she thinks was planted in a field in the back of her property located in (b)(6), (b)(7)(C).

3. On June 17, 2013, I called (b)(6), (b)(7) and talked to her about her concern involving GMO wheat. I asked her if I could come by and talk to her. She told me that last year a man by the name of (b)(6), (b)(7) had planted GMO wheat in a field behind them. Sometime in June or July of 2012, she called the (b)(6), (b)(7)(C) and reported the GMO wheat. She said she spoke to a girl named (b)(6), (b)(7). She could not remember what telephone number she called or what office she called and she couldn't remember (b)(6), (b)(7) last name. (b)(6), (b)(7) told her that there were 16 farms that were growing GMO seed pending approval. (b)(6) says she called the (b)(6), (b)(7)(C) back and inquired about GMO wheat again and that this time (b)(6), (b)(7) changed their tune and said no one was growing GMO wheat in Kentucky. (b)(6) told me that it was supposed to be hot on Thursday and that we would have to talk outside; that she wouldn't let anyone inside her house. I told her that was fine. We set up an 11:00 o'clock appointment.

4. On June 17, 2013, I called Harold Hempfling, Acting KY SHPD and asked him if he knew of anyone in Kentucky growing GMO wheat. Harold told me that no one was growing GMO wheat in Kentucky. I told him about the claim that (b)(6), (b)(7) had reported to USDA. Harold said the

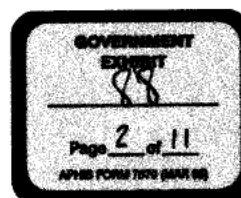
whole thing didn't sound right and that no one was growing GMO wheat in Kentucky. I asked Harold who I should contact at (b)(6), (b)(7)(C) and he told me to call (b)(6), (b)(7)

5. On June 17, 2013, I called (b)(6), (b)(7)(C) and talked to him about (b)(6), (b)(7)(C) claim that someone had planted GMO wheat. (b)(6) is a (b)(6), Nursery Inspector with the Office of the State Entomologist at U of K. (b)(6) searched his database back to 2007 and told me that no BRS permits were issued for GMO wheat in Kentucky. (b)(6) sent me an email regarding his finding. I told (b)(6) that when I spoke to (b)(6), (b)(7) she told me that she called (b)(6), (b)(7)(C) and talked to a girl named (b)(6). Supposedly (b)(6), told (b)(6) that 16 farms were growing GMO wheat. (b)(6) told me that they don't have a person by the name of (b)(6), working in their office and that he has never spoken to (b)(6), (b)(7)

6. On June 17, 2013, I contacted (b)(6), (b)(7), IES Investigator and asked her if she had a POC at the BRS permit section to see if a permit was issued for GMO wheat in Kentucky. Sue received a response from Dr. John Turner, Director, Environmental Risk Analysis Programs, saying that he checked their database and found that there were no permits or notifications for any type of GE wheat ever being issued for Kentucky.

On June 20, 2013, (b)(6), (b)(7)(C), IES Investigator and I went to (b)(6), (b)(7)(C) residence, (b)(6), (b)(7) resides on a farm (b)(6), (b)(7)(C), where she (b)(6), planned on raising organic vegetables and take up bee keeping. The (b)(6), live in a doublewide (b)(6) trailer. They were renting the property in hopes that they could buy it later. The yard was unkempt with overgrown weeds and grass and junk and trash in the yard. The barn that was on the residence was in total disrepair. There were six or seven dogs fenced in on their small front porch. I could see more dogs inside the house jumping and barking at the windows and door. We waited about five minutes before (b)(6), (b)(7) came outside to greet us. He told us that (b)(6) had a late start to her morning and that she was getting dressed and would come outside in a minute. (b)(6), (b)(7) came outside. (b)(6), (b)(7) went back inside the house. We introduced ourselves and asked her why she had contacted USDA. (b)(6), (b)(7) told us the following:

She wanted to become a certified organic farmer. She told us that her husband is a disabled veteran. Her intention was to apply for grants to bring disabled veterans to their farm to teach them how to become certified organic farmers. (b)(6), (b)(7) stated that she is of (b)(6), (b)(7)(C) heritage and that she wants to farm like they did. She brought heirloom organic seeds with her to plant. (b)(6), (b)(7) (b)(6), (b)(6), have lived at this residence for (b)(6), (b)(7). Before they moved to Kentucky, they lived in (b)(6), (b)(7). She said they didn't like (b)(6), because the farmers grew GMO crops and they knew the health hazards associated with them. She says she has posted her views all over the internet.



Last year, (b)(6), (b)(7) stated that someone planted GMO wheat in a field that backs up to her property. (b)(6), (b)(7) only knows the persons first name to be (b)(6), or (b)(6), (b)(6), (b)(7) does not know the persons last name. (b)(6), (b)(7) told us that last year (b)(6), (b)(7) sprayed the field with round up and the wheat did not die.

After spraying the field with roundup, (b)(6), (b)(7) noticed that one of her dogs died after giving birth. (b)(6), (b)(7) captures feral cats and brings them inside her house so that they can have their litters. She told us that four of her cats had kittens and that they were all born dead. She states her goat did not get pregnant as it had the year before.

(b)(6), (b)(7) told us that all of her dogs and cats had normal births this year. She says that her goat had not birthed yet. (b)(6), (b)(7) has three goats; two male and one female.

(b)(6), (b)(7) showed us her foot and complained about it hurting. She said that she believes it's because of the GMO wheat that was planted in the field behind her property. She said that she has (b)(6), (b)(7)(C) and she believes she got this from GMO wheat when she lived in (b)(6),

(b)(6), (b)(7) called everyone she knew to report the wheat.....Food and Drug Administration, USDA, Farmer's Against GMO's, and the Environmental Protection Agency. She said no one would listen to her. Sometime in June or July of 2012, she called the (b)(6), (b)(7)(C) and reported the GMO wheat. She said she spoke to a girl named (b)(6), (b)(7). She could not remember what office she called, what number she dialed or (b)(6), (b)(7) last name. (b)(6), (b)(7) says (b)(6), (b)(7) told her that there were 16 farms that were growing GMO seed pending approval. (b)(6), (b)(7) says she called (b)(6), (b)(7) again and inquired about GMO wheat and that this time U of K changed their tune and said no was growing GMO wheat in Kentucky. (b)(6), (b)(7) doesn't remember who she spoke to this time either. (b)(6), (b)(6), (b)(7)(C)

(b)(6), (b)(7) told us that she is moving from her residence this coming Tuesday. She said that there was a contractual disagreement between her and her landlord. (b)(6), (b)(7) told us that she appeared before a judge recently who told her that she is an elitist for wanting to grow organics and that she was not welcome in Kentucky. The judge evicted her from the property. (b)(6), (b)(7) told us she is leaving Kentucky, but refused to tell us where she was moving. She says she has received threatening emails and has had acts of violence committed on her. She refused to elaborate more. (b)(6), (b)(7) has left the wheat in her yard standing and told us it is there in case someone wants to test it.

We told (b)(6), (b)(7) that we would contact (b)(6), (b)(6), (b)(7) told me that (b)(6), (b)(6), probably signed a non-disclosure and would lie about the wheat. We wished her luck with her move and drove up to the nearest neighbor's house which was 1/2 mile up the road. A woman came outside and greeted us. We told her who we were and asked her who owned the property between her and (b)(6), (b)(7). She told us that she didn't know the person's name. She asked us if we had gone to (b)(6), (b)(7) residence and we told her we had. She asked if this were in regard to the GMO wheat claim and we told her yes. She told us that the (b)(6), (b)(6) let their dogs and cats starve to death. She said she has called Animal Control on several occasions to report the deaths. She also said the (b)(6), (b)(6) let their three goats wander and that they had gotten into her garden and yard. She had to put up a fence around her property to keep the goats out. She says the (b)(6), (b)(6) believe that it's good for the goats to forage and go wherever they want to go. She also stated that the (b)(6), (b)(6) do not cut their grass and that their place is always littered with trash. The woman, who refused to give her name, told us that she didn't know who owned the property and that we should go to the (b)(6), (b)(7)(C) Court House and ask them. It appeared as though she didn't want to get involved. We left her resident.



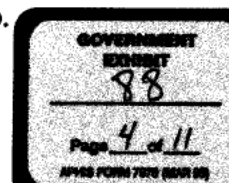
On the way to the (b)(6), (b)(7)(C) Court House we stopped off at the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). We spoke to (b)(6), (b)(7) who told us that (b)(6), (b)(7)(C) owned the farm behind (b)(6), (b)(7) residence. (b)(6), (b)(7) told us that (b)(6), (b)(7) was strange and that she knew all about (b)(6), claims regarding the GMO wheat. (b)(6), (b)(7) told us that (b)(6), (b)(7)(C) was a multimillionaire and in addition to owning the (b)(6), (b)(7)(C). She gave us directions to (b)(6), (b)(7)(C) which is located in (b)(6), (b)(7)(C).

We drove to (b)(6), (b)(7)(C). A receptionist greeted us. We asked to speak to (b)(6), (b)(7)(C). She told us that he wasn't there and then picked up the phone and called him. She handed me the phone and I spoke with (b)(6), (b)(7) who told me that he leased his farm to (b)(6), (b)(7)(C). I told him that USDA was concerned that (b)(6), (b)(7) (b) might have planted GMO wheat. (b)(6), (b)(7) did not know what GMO wheat was and told me that (b)(6), (b)(7)(C) was above board and wouldn't do anything that was wrong. (b)(6), (b)(7)(C) told me that I would have to talk to (b)(6), but told me to call him back if I needed anything. The receptionist told me where (b)(6), lived and gave me his phone number (cell: (b)(6), (b)(7)(C)/ home: (b)(6), (b)(7)(C) and his address. (b)(7)

(b)(6), and I drove to (b)(6), (b)(7)(C). No one was home so I called (b)(6), (b)(7)(C) cell phone. His voice mail came on and I left my name and number and asked him to call me back. About ten minutes later (b)(6), (b)(7)(C) called me. I told (b)(6), (b)(7)(C) I had talked to (b)(6), (b)(7)(C) and that he gave me his phone number. (b)(6), told me that he was leasing land from (b)(6), (b)(7). He told me that he was in the middle of a field planting tobacco, but that I could come by and talk to him. He gave me directions to the farm. We drove there and met with (b)(6), (b)(7)(C). We told him who we were and that someone had contacted our office with concerns that he had grown GMO wheat last year behind (b)(6), (b)(7) property. He told us that he didn't know anybody by the name of (b)(6), (b)(7). (b)(6), told him that it was the property located by the cell phone tower. (b)(6), (b)(7)(C) told us that he knew where we were talking about, but that he had never had any problems with anybody about the wheat. He told us that he planted (b)(6) acres of wheat as a cover crop and that he cut it for hay. He told us that he didn't spray roundup on the wheat and didn't really know what we were talking about. He said that the neighbor in the house in front of his wheat field let her goats out into the field. I asked him where he obtained his wheat seed and he said possible from (b)(6) or he might have kept the seed from a previous harvest. He said that (b)(6) was sold last year and that it's now called (b)(6), (b)(7)(C). (b)(6), told us that he was going through a bad divorce and all he wanted was to be left alone. He was cordial and told us that he didn't even know what GMO wheat was. (b)(6), explained to him about GMO wheat. (b)(6), said he doesn't use that type of wheat and that we should contact (b)(6), (b)(7)(C) to find out what he purchased. (b)(6), said he needed to get back on his tractor and plant his tobacco. We left the farm. (b)(7)

On June 21, 2013, I contacted (b)(6), (b)(7)(C) and spoke to (b)(6), (b)(7), (b)(6), (b)(7)(C). I told him who I was and that I needed to know what type of wheat seed (b)(6), (b)(7)(C) purchased from them last year. (b)(6), (b) said he'd have to do some research and that he would get back to me. (b)(6), (b) also told me that they don't sell GMO wheat seed. (b)(6), (b) provided me with his email address and I told him I would send him my request in writing.

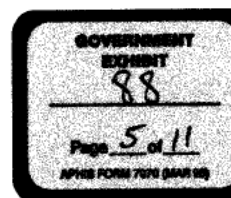
(b)(6), (b) answered my email and said that (b)(6), (b)(7)(C) did not sell (b)(6), (b)(7)(C) wheat last year nor have they ever sold GMO wheat or roundup ready wheat out of the store. His email states that (b)(6), would not have sprayed the wheat he planted near (b)(6), (b)(7) with roundup. (b)(7)



I declare that the foregoing is true and correct and that this declaration was completed on June 21, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) IES Investigator



(b)(6), (b)(7)(C) - APHIS

From: (b)(6), (b)(7)(C) APHIS
Sent: Tuesday, June 18, 2013 8:53 AM
To: Turner, John T - APHIS; Juarez, Bernadette R - APHIS; APHIS-IES RR Wheat
Cc: Jhee, Edward M - APHIS; (b)(6), (b)(7)(C) - APHIS
Subject: RE: GMO Wheat

John, Thank you for checking your database.

(b)(6), there were no permits or notifications for any type of GE wheat ever being issued for Kentucky.

(b)(6)

From: Turner, John T - APHIS
Sent: Tuesday, June 18, 2013 4:59 AM
To: Juarez, Bernadette R - APHIS; (b)(6), (b)(7)(C) - APHIS; APHIS-IES RR Wheat
Cc: Jhee, Edward M - APHIS
Subject: RE: GMO Wheat

Hi (b)(6) and Bernadette,

Our database has no records of any permits or notifications for any type of GE wheat ever being issued for Kentucky.

John

John Turner, Ph. D.
Director, Environmental Risk Analysis Programs
USDA/APHIS/BRS
Riverdale, MD 20737-1236
Phone: (301) 851-3954
Mobile: (b)(6), (b)(7)
Email: john.t.turner@aphis.usda.gov

From: Juarez, Bernadette R - APHIS
Sent: Monday, June 17, 2013 6:14 PM
To: (b)(6), (b)(7)(C) - APHIS; APHIS-IES RR Wheat
Cc: Turner, John T - APHIS; Jhee, Edward M - APHIS
Subject: RE: GMO Wheat

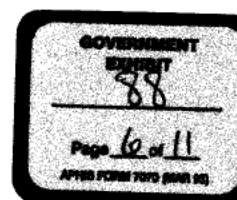
(b)(6)

I believe John Turner is the POC in BRS for permits and can connect the team with a staff member to assist with this request. I have copied John on this message.

Thanks,
B.

Bernadette Juarez, Deputy Director
Investigative and Enforcement Services
Animal and Plant Health Inspection Service

1
OR120018_BR_002804



U.S. Department of Agriculture
4700 River Road
Unit 85 (Room 6B-03B)
Riverdale, Maryland 20737
(301) 851-2735
(301) 734-4328 (facsimile)
bernadette.r.juarez@aphis.usda.gov

From: (b)(6), (b)(7) - APHIS
Sent: Monday, June 17, 2013 2:16 PM
To: APHIS-IES RR Wheat
Subject: FW: GMO Wheat

Hello All, I wanted to give you an update from (b)(6), (b)(7) on our REAI. Can BRS check permits issued by County? If so, we could see if any permits were issued to Breckinridge County, Kentucky.

From: (b)(6), (b)(7)(C) - APHIS
Sent: Monday, June 17, 2013 11:10 AM
To: (b)(6), (b)(7) - APHIS
Subject: FW: GMO Wheat

Hi (b)(6),
(b)(7)(C)

I contacted (b)(6), (b)(6), (b)(7)(C) and set up an appointment to visit with her on Thursday. I also contacted (b)(6), (b)(7)(C) at the (b)(6), (b)(7)(C) See his response to my email below. He couldn't find a permit. I also contacted (b)(6), (b)(7)(C), Acting SPHD and spoke with him. Harold says no one is growing GMO wheat in KY. (b)(6), (b)(7)(C) says he would be the person that goes out to look at the farm and he hasn't been out to any.

(b)(6), (b)(6), (b)(7)(C) says she thinks the farmer's first name is (b)(7)
(b)(6), (b)(7)(C) lives in Breckinridge County in (b)(6), (b)(7)(C), KY. I'll let you know what (b)(6), (b)(6), (b)(7)(C) says after I visit with her on Thursday.

Let me know if you find a permit on (b)(6), (b)(7)(C) (last name ??). I'll forward you his address on Thursday.

Thank you!!

(b)(6), (b)(7)



USDA, APHIS, IES

Investigator

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Monday, June 17, 2013 2:03 PM

To: (b)(6), (b)(7)(C) - APHIS

Subject: RE: GMO Wheat

(b)(6), (b)(7)(C)

I looked through the BRS permits (dating back to 2007) that have been issued for KY and there were no permits for wheat.

(b)(6), (b)(7)(C)

Please note that I have a new office number: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Office of the State Entomologist

Dept. of Entomology

(b)(6), (b)(7)(C) Ag Science Ctr-N

Lexington Ky 40546-0091

(b)(6), (b)(7)(C)

fax

www.KyStateEnt.org

From: (b)(6), (b)(7)(C) - APHIS [mailto:(b)(6), (b)(7)(C)@aphis.usda.gov]

Sent: Monday, June 17, 2013 1:47 PM

To: (b)(6), (b)(7)(C)

Subject: GMO Wheat

H (b)(6), (b)(7)(C)

Per our telephone conversation this afternoon:

One of our Investigators received an email from (b)(6), (b)(7)(C) alleging that a farmer in (b)(6), (b)(7)(C) KY planted GMO wheat. She says that the farmer used roundup and it didn't kill the wheat.

Did you get a request for a permit to grow GMO wheat here in KY or do you know anything about what (b)(6), (b)(7)(C) is talking about?



Thanks for your help!

Take care.....

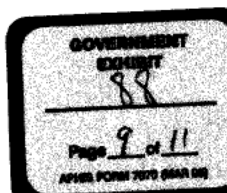
(b)(6), (b)(7)

USDA, APHIS, IES

Investigator

(b)(6), (b)(7)(C)

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(b)(6), (b)(7)(C) - APHIS

From: (b)(6), (b)(7)(C)
Sent: Friday, June 21, 2013 2:44 PM
To: (b)(6), (b)(7)(C) - APHIS
Subject: RE: GMO wheat

Thank you as well and have a very nice weekend.

(b)

From: (b)(6), (b)(7)(C) APHIS [mailto:(b)(6), (b)(7)(C)@aphis.usda.gov]
Sent: Friday, June 21, 2013 1:39 PM
To: (b)(6), (b)(7)(C)
Subject: RE: GMO wheat

Thank you!

Have a nice weekend.

(b)(6), (b)(7)
USDA, APHIS, IES
Investigator
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7) [mailto:(b)(6), (b)(7)(C)]
Sent: Friday, June 21, 2013 1:01 PM
To: (b)(6), (b)(7)(C) - APHIS
Subject: RE: GMO wheat

(b)

We did not sell (b) any wheat last year. We have never sold any GMO or round up ready wheat out of this store, and if he got it from (b)(6), that was cleaned, we would not have been able to clean it if it was. I do not believe that this wheat would have been sprayed with roundup.

Thank you,

(b)

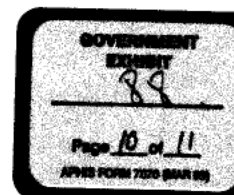
(6),

(b)(7)

(C)

From: (b)(6), (b)(7)(C) APHIS [mailto:(b)(6), (b)(7)(C)@aphis.usda.gov]
Sent: Friday, June 21, 2013 9:44 AM
To: (b)(6), (b)(7)
Subject: GMO wheat

Hi (b)(6), (b)(7)(C)



Per our telephone conversation:

(b)(6), (b)(7)(C) told me that he believes he bought wheat seed from (b)(6), (b)(7) last year. Can you check your records to see what he bought? (b)(6), (b)(7)(C) could not remember if he bought his seed from you or if he used seed he cleaned.

I appreciate your help.....thank you!

(b)(6), (b)(7)
USDA, APHIS, IES
Investigator
(b)(6), (b)(7)(C)

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), (b)(7)(C) Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On 05/21/13, I met with (b)(6), (b)(7)(C), (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (mobile). (b)(6), (b)(7)(C).

I told (b)(6), (b)(7)(C) the reason I wanted to talk with him is that there had been a report of a farmer having genetically modified wheat found in their field.

(b)(6), (b)(7)(C) said that he had heard something about the incident but did not know much more it. He asked where it was and in whose field.

I told him that I could not divulge any information. I asked him if he would be willing to speak with me. He agreed to answer anything he could.

(b)(6), (b)(7)(C) said that around the first part of July 2012 he signed a (b)(6), (b)(7)(C) lease on a (b)(6), (b)(7)(C). The first field this equipment was ever in was when he combined (b)(6), (b)(7)(C) in that order. When he was done combining (b)(6), (b)(7)(C) he started combining wheat. The first wheat field he combined was for (b)(6), (b)(7)(C). He said he combined (b)(6), (b)(7)(C) fields for (b)(6), (b)(7)(C) then he went to (b)(6), (b)(7)(C) then to (b)(6), (b)(7)(C). When he was finished harvesting wheat and barley he went to combining alfalfa.

(b)(6), (b)(7)(C) said his combine was cleaned and blown-out with a 185 cfm compressor. He stated that his combine was cleaned and blown-out completely each day, between each field, and between each owner. He explained that farmers are very concerned about keeping their fields clean of weeds or other contamination. He is very mindful about keeping his machine clean because if it is not kept clean there is a much greater possibility of fire. (b)(6), (b)(7)(C) said, every day before he starts his combine he looks over the entire machine to make sure all parts are clean and in proper working order.

I asked (b)(6), (b)(7)(C) who hauled the wheat, which he cut from (b)(6), (b)(7)(C) field.

(b)(6), (b)(7)(C) said that (b)(6), (b)(7)(C) was who hauled the wheat from (b)(6), (b)(7)(C) field. He said he was not positive but he thought the driver of the semi was an



individual by the name of (b)(6). The grain was hauled directly from the field to (b)(6), (b)(7)

I asked (b)(6), (b)(7) what he meant by the river.

He explained that in the (b)(6), (b)(7)(C) area, about (b) of the wheat is hauled directly from the field, to one of about (b) (b) on the (b)(6), (b)(7)(C). He went on to explain, (b)(6), (b)(7)(C) (b)(6)(b) takes very little grain to their elevator in (b)(6), (b)(7) (b)(6), has much more storage for grain on the (b) and it is much more efficient and quicker to haul wheat to the (b) where they can get the wheat dumped and the truck back on the road. Also, when they haul from the field to the (b) they do not have to load trucks at the grain elevator and then haul it to be shipped, eliminating one transfer of the grain.

I asked (b)(6), (b)(7) if, while combining, he had ever noticed odd looking wheat plants that looked out of place (i.e. taller or shorter, totally different age, totally different variety) than what he was cutting.

(b)(6), (b)(7) could not think of seeing anything like that. He said the farmers he combines for are good farmers and they have relatively clean field and crops.

I asked (b)(6), (b)(7) is he had ever heard of anyone having genetically modified wheat or problems killing wheat volunteers in their fields.

He related that he had never seen that and had never heard of it either.

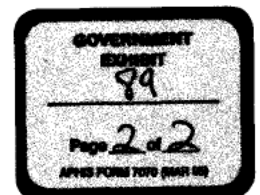
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 21, 2013.

(b)(6), (b)(7)(C)

(b)(6),
(b)(7)

Investigator

USDA-APHIS-IES



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C).

On 09/16/13, I met with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) His contact information is (b)(6), (b)(7)(C) (office/fax), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address).

Also present during the interview was (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (Investigator (b)(6), (b)(7)(C) is a partner at the law firm of (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line), (b)(6), (b)(7)(C) (direct line), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address), (b)(6), (b)(7)(C) (web site). (b)(6), (b)(7)(C) was there at the request of (b)(6), (b)(7)(C) to represent their interests and to provide guidance for (b)(6), (b)(7)(C) if needed. Investigator (b)(6), (b)(7)(C) is an investigator who was there to assist in the (b)(6), (b)(7)(C) interview process.

The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from him regarding his work and or involvement with research conducted by him on glyphosate resistant wheat and specifically with the introduction on (b)(6), (b)(7)(C) transformation. I also talked with (b)(6), (b)(7)(C) about the different varieties of wheat he used in this research, whether he had (b)(6), (b)(7)(C) experienced any occurrences of possible contamination or cross contamination in any of the (b)(6), (b)(7)(C) testing with which he was involved. Also discussed were the safeguarding of the test plots and the protocols used during all aspects of the handling of the transformed lines.

(b)(6), (b)(7)(C) stated that most of his research was with spring wheat varieties. He said he worked with many different varieties including elite and experimental lines. He does not remember what most of the (b)(6), (b)(7)(C) and experimental lines were. I asked (b)(6), (b)(7)(C) if he worked with (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) with the (b)(6), (b)(7)(C) transformation event.

(b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) was not transformed into (b)(6), (b)(7)(C) however (b)(6), (b)(7)(C) was transformed into (b)(6), (b)(7)(C) and he did not work with (b)(6), (b)(7)(C) in his research. (b)(6), (b)(7)(C) said, in either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) decided to discontinue further testing the (b)(6), (b)(7)(C).

transformation in wheat. When (b)(6), (b)(7)(C) decided to discontinue to testing, all of the plant material/seed/germplasm was sent to (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) for cold storage and eventual destruction. Whatever seed, germplasm or plant material was not sent to either (b)(6), (b)(7)(C) was destroyed at an incinerator in (b)(6), (b)(7)(C). I asked (b)(6), (b)(7)(C) if he had any information as to when the material/seed was sent to (b)(6), (b)(7)(C) or destroyed. I also asked (b)(6), (b)(7)(C) if he had information as to how much material/seed was sent off and how much was incinerated in (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) said, he could not remember how much material/seed was sent and he does not know who would have that information. He stated all of the material/seed was sent or destroyed when (b)(6), (b)(7)(C) gave direction to do so but does not remember exactly when that was, sometime in either (b)(6), (b)(7)(C).

I asked (b)(6), (b)(7)(C) many questions about the actual wheat test plots where he did his research with (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) responded by saying he had many test plots scattered around (b)(6), (b)(7)(C). He used some of the same plot sites; however, he would not use the same site on two consecutive years. He used many different varieties of wheat in the test plots including released varieties, (b)(6), (b)(7)(C) varieties and experimental lines. He does not remember what all of these lines would have been, many of these varieties were destroyed after a short time because they were not responding the way they were hoping or were not going to work in their research. (b)(6), (b)(7)(C) said he does not know who all worked in the test plots but whoever worked the plots was under his direct supervision. He does not remember any instance of a breach in the security or safeguarding to the test plots but related the plots were not under guard or behind locked fences.

(b)(6), (b)(7)(C) said the equipment used in test plots were thoroughly cleaned prior to be removed from a field and prior to being used in another field. He said they did not borrow or lend equipment so is certain there was no contamination or cross contamination with the (b)(6), (b)(7)(C) research plots. He said when transporting equipment, seed or plant material, which contained the (b)(6), (b)(7)(C) event they always contained everything to prevent, and spillage to maintain the safeguarding required by APHIS and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) described how he always maintained at least minimum spacing (according to APHIS and (b)(6), (b)(7)(C) guidance) between plant varieties and plant species as required.

(b)(6), (b)(7)(C) said he does not remember what was planted in the test plot sites the year following but that he did, on occasion use the same site(s), but never in successive years with same plant types. He related that he always followed USDA and (b)(6), (b)(7)(C) guidance and protocols for volunteer monitoring whether it was for (b)(6), (b)(7)(C) years after. Through the years the guidelines from USDA changed (not sure when) and (b)(6), (b)(7)(C) guidelines changed (not sure when) but the instructions were always followed.

(b)(6), (b)(7)(C) said to the best of his recollection there were no USDA or State officials ever out to monitor or check on any of these test plots.

(b)(6), (b)(7)(C) and or USDA had requirements about how long the plots were supposed to be monitored for volunteers and destruction of any volunteers, which were discovered, all of these protocols were followed.

(b) (6) said, to the best of his knowledge he never had an instance where the wrong material/seed was sent or delivered. All of the (b)(6), (b)(7) material/seed and everything relating to these tests was kept stored in a large shipping container which was kept locked. He is confident that they did not have any material which was not accounted for.

(b) (6) went on to say, any information I was asking about which he might have had was destroyed/shredded when he moved from (b)(6), (b)(7)(C) earlier this year. (b) (6) said that he still had some of his field notes but he did not have them with him at the time.

I asked (b)(6), (b) if we could get his field notes if we, APHIS/IES, wanted to see them. (b)(6), (b)(7)(C) said if we decided the need to review the field books arrangements would be made to get access either to the books or to copies of the books. (b)(6), (b) said he does not believe the information contained in these books would be of much use to us, but we felt the need, he would supply them.

Near the end of our interview I asked (b)(6), (b) if he had any ideas as to how this wheat could have been introduced into the farmers' field.

(b) (6) said he did not know how this could have happened, the testing with glyphosate resistance had not been going on for almost (b) (6) years. He asked about what we had been finding during the DNA testing, he was curious about the alleles and variants they were finding. He asked if they were finding close populations or are they finding segregating populations in the alleles.

I told (b) (6) they were finding quite a few variants all the way from the awns (range from awned to awnlets to awnless) to market class (range from soft white spring to hard red winter).

(b)(6), (b) said that if they are finding awnless alleles, they may want to look into Canadian varieties of wheat. He said the Canadians quite frequently work with awnless varieties of wheat. He also mentioned that we might look into research completed by (b) (6) at (b)(6), (b)(6), (b) (7)(C) (b)(7)

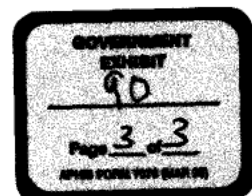
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 20, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

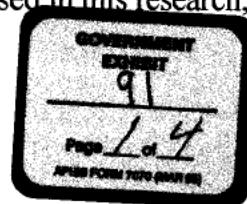
I am currently employed as a (b)(6), (b)(7)(C) Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On 12/11/13, I met with (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (office/fax), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address). This meeting took place at (b)(6), (b)(7)(C).

Sharon M. Talley, Ph.D. Biological Scientist, Western Compliance Assurance Branch USDA - APHIS - BRS (Dr. Talley) accompanied me to this interview to act as a subject matter expert in plant genetics and the molecular makeup in wheat.

Also present during the interview was (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) is a partner at the law firm of (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line), (b)(6), (b)(7)(C) (direct line), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address), (b)(6), (b)(7)(C) (web site). (b)(6), (b)(7)(C) a partner in the law firm of (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line), (b)(6), (b)(7)(C) (direct line), (b)(6), (b)(7)(C) (fax), (b)(6), (b)(7)(C) (e-mail address), (b)(6), (b)(7)(C) (web site). (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) attended the meeting at the request of (b)(6), (b)(7)(C) to represent their interests and to provide guidance for (b)(6), (b)(7)(C) if needed. (b)(6), (b)(7)(C) is the (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line), (b)(6), (b)(7)(C) (e-mail address). (b)(6), (b)(7)(C) is the (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line), (b)(6), (b)(7)(C) (e-mail).

The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from him regarding his work and or involvement with research conducted by him on glyphosate resistant (Roundup Ready) wheat and specifically with the introduction (b)(6), (b)(7)(C) transformation. I also talked with (b)(6), (b)(7)(C) about the different varieties of wheat he used in this research, his



research field books and how to decipher them, whether he had experienced any occurrences of possible contamination or cross contamination in any of the (b)(6), (b)(7) testing with which he was involved. Also discussed during the interview were the safeguarding of the test plots and the protocols used during all aspects of the handling of the transformed lines.

(b)(6), (b) said he started his carrier breeding barley in (b) He then moved to (b)(6), (b)(7) working with winter wheat. In (b) he became the (b)(6), (b)(7)(C) he also worked with winter wheat and barley.

(b)(6), (b) stated most of his research was with spring wheat varieties. He said he worked with many different varieties including (b)(6), (b)(7)(C) lines. (b)(6), (b) was not able to say exactly what varieties those were; however, with his field books and some research he would be able to find out what those experimental and elite lines were. I asked (b)(6), (b) if he worked with (b)(6), (b)(7)(C) with the (b)(6), (b)(7) transformation event.

(b)(6), (b) said (b)(6), (b)(7) was not transformed into (b)(6), (b) however (b)(6), (b)(7) was transformed into (b)(6), and he did work with (b)(6), in his research. He explained, in (b) he started working with RR wheat [together with (b)(6), (b)(7)] He sent a packet of seed to (b)(6), (b) they (b)(6), (b)(7)(C)

(b)(6), (b) first started working with RR wheat. (b)(6), (b) said, in 2004 Monsanto decided to discontinue further testing the (b)(6), (b)(7) transformation in wheat. (b)(6), (b) said some of the varieties they used in the RR wheat trials were; Express, Brooks, Pristine, WB926, WB936, Conan and others. The RR wheat trials ended prior to the final development of Expresso.

According to (b)(6), (b) he or (b)(6), (b) did not receive any of the early filial generations of Expresso. In other words, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) . This did not happen (b)(6), (b)(7)(C)

On 11/13/13, I met with (b)(6), (b)(7)(C), (b)(6), (b) (7)(C) (b)(6), (b) (7)(C) (b)(6), (b) agreed to allow (b)(6), (b)(7)(C) to (b) (6), (b) (7)(C) into the wheat variety (b) (6), (b) (7)(C). For allowing (b) to use the variety (b) (6), (b) (7)(C) in this manner (b)(6), (b) paid (b)(6), (b)(7)(C) (b) (6), (b) (7)(C) for his work and (b)(6), (b) (7)(C) gave up all rights to the end product "Expresso". (b)(6), (b)(7)(C) said he sent filial generations of this seed to (b)(6), (b)(7) or someone at (b)(6), (b) I asked (b)(6), (b) if he received any of this seed and he said he did not. He said (b)(6), (b)(7)(C) did not send (b) (6), (b) (7)(C) to them until September (b)(6), (b) The RR wheat program ended in April of (b) (6)

When (b)(6), (b) decided to discontinue their RR wheat testing, they (b)(6), (b) had two trials planted one in (b)(6), (b)(7) and one in (b)(6), (b)(7). Both of these fields were destroyed, plants were plowed under and the fields were monitored for volunteers for the subsequent (b) years. This was the last time he or (b)(6), (b) worked with the (b)(6), (b)(7) (6)



transformation of wheat.

When asked if there was any "sharing" (with other wheat breeders/cooperators) of the RR products, (b)(6), (b) explained, he did remember there was talk, probably in late (b) or early (b) about some kind of "uniform wheat trials". This was going to be a sharing of information between universities and private seed companies all sorts of cooperators in an attempt to share information with everyone involved. However, to the best of his knowledge this did not take place because (b)(6), (b) suspended the RR wheat trials prior to these "uniform wheat trails".

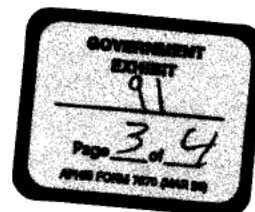
I asked (b)(6), (b) if he had ever worked to separate the white variant of Express. He replied by saying he was not involved in anything like that but maybe (b)(6), (b)(7) worked on a project like that. He said he is not sure and can not remember a project like this. (b) should be able to answer this question. (6)

Looking through the field books it appeared that in (b) there was some seed sent to (b)(6), (b)(6), (b) looked at the book and explained, yes, there was seed sent to (b)(6), however, none of that seed was part of the RR wheat project. (b)(7)

I asked (b)(6), (b) many questions about the actual wheat test plots where he did his research with (b)(6), (b)(7). (b)(6), (b) responded by saying he had many test plots scattered around (b)(6), (b). He used some of the same farm sites; however, he would not use the same plots on two consecutive years. When he was finished with a site, it was usually seeded into alfalfa or potatoes. All of the RR trial sites would be monitored for volunteers for at least the following year. He said he used many different varieties of wheat in the test plots including released varieties, elite varieties and experimental lines. He does not remember what all of these lines would have been, many of these varieties were destroyed after a short time because they were not responding the way they were hoping or were not going to work in their research. He does not remember any instance of a breach in the security or safeguarding to the test plots.

(b)(6), (b) said the equipment used in test plots were thoroughly cleaned prior to being removed from a field and prior to being used in another field. He said they did not borrow or lend equipment so he is certain there was no contamination or cross contamination with the RR research plots. He said when transporting equipment, seed or plant material, which contained the (b)(6), (b)(7) event they always contained everything to prevent spillage and to maintain the safeguarding required by APHIS and Monsanto. (b)(6), (b) described how he always maintained at least minimum spacing (according to APHIS and (b)(6), (b) guidance) between plant varieties and plant species as required.

(b)(6), (b) and or USDA had requirements about how long the plots were supposed to be monitored for volunteers and destruction of any volunteers, which were discovered, all of these protocols were followed. This information should be in the reports, which documents the compliance in the RR plots.



We asked (b)(6), (b) if he experienced any animal incursions either with domestic animals or with wildlife. He said they were not asked to monitor for this but he does remember having raccoons and deer in the plots from time to time. He can not remember any "significant" animal incursions nothing that made him think there could have been a source of contamination.

(b)(6), (b) answered any and all questions posed to him unless what he was being asked about was not his project and he did not know what specifically went on. He was able to decipher and explain the notes in his field book(s). when he looked through (b)(6), book(s) he was able to decipher most of (b)(6), notes but not all. He referred us to speak with (b) in reference to (b)(6), books.

(b)(7)

Near the end of our interview, I asked (b)(6), (b) if he had any ideas as to how this wheat could have been introduced into the farmers' field.

(b)(6), (b) said he did not know how this could have happened, the RR testing ended almost ten years ago.

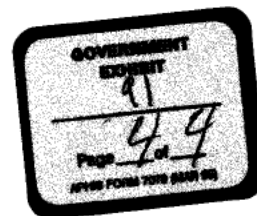
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on December 23, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



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OR120018_BR_002831

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On 11/15/13, I met with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) who is a (b)(6), wheat breeder. (b)(6), (b)(7)(C) worked for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(7)(C). In (b)(6), (b)(7)(C) the owner of the company, (b)(6), (b)(7)(C) called (b)(6), (b)(7)(C) and told him he was (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) offered him the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) kept that position with (b)(6), (b)(7)(C) until the company became (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) at which time he became the wheat breeder for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) continued in this position with (b)(6), (b)(7)(C) until his retirement in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) LLC was bought by (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) is now a subsidiary of (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) contact information is (b)(6), (b)(7)(C) (home), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address).

Sharon M. Talley, Ph.D. Biological Scientist, Western Compliance Assurance Branch
USDA - APHIS - BRS (Dr. Talley) accompanied me to this interview to act as a subject matter expert (SME) in plant genetics and the molecular makeup in wheat.

Also present during the interview was (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) via a conference line. (b)(6), (b)(7)(C) is a partner at the law firm (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (main office line) (b)(6), (b)(7)(C) (direct line), (b)(6), (b)(7)(C) (mobile), (b)(6), (b)(7)(C) (e-mail address), (b)(6), (b)(7)(C) (web site). (b)(6), (b)(7)(C) was there at the request of (b)(6), (b)(7)(C) to represent their interests and to provide guidance for (b)(6), (b)(7)(C) if needed.

I asked (b)(6), (b)(7)(C) asked about his employment history. (b)(6), (b)(7)(C) responded by saying he started (with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). In between those dates, (b)(6), (b)(7)(C) (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) a couple of years before he (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said he started out as a (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) for the company. (b)(6), (b)(7)(C) said he mainly focused his research on wheat and (b)(6), (b)(7)(C) which was adapted for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C)

He could not recall conducting breeding trials of the (b)(6), (b) herbicide resistant wheat at the same time as conventional breeding.

We asked about breeding trials of Espresso (or the generations leading up to the development of Espresso) being located in the same breeding sites as the planting of event (b)(6), (b)(7). What was grown prior and after? (b)(6), (b) said he had multiple breeding trials but was not sure which ones without his notes. He said that he used a different plot of land for event (b)(6), (b)(7). He said the company (b)(6), (b)(7) had strict protocols and isolation distances and he often exceeded them. He went on to say he never planted research wheat on the land on which RR wheat grew. He leased the land from growers in the area.

The RR Seeds were stored in his office where he did seed processing. They were stored in a separate container. Only he, a student, (b)(6), (b)(7)(C) and a technician (b)(6), (b)(7)(C) had access to the RR seeds. He stated he packaged the seeds himself (which were to be sent wherever) but hired help to thresh the wheat.

(b)(6), (b) said he treated the RR wheat project as a totally different program. (b) (b)(6), (b)(7)(C) only grew the RR wheat on two sites. (b)(6), (b)(7)(C) very few people knew where this was being grown. The field site locations were remote and had no signage.

We asked (b)(6), (b) about the security of the grow sites and any evidence of a breach of security; (b)(6), (b) said the only wildlife he had problems with were birds, mainly white wing doves and blackbirds. He had no evidence of human incursions other than one morning he showed up for work and surprised a burglar trying to steal electronic devices (computers, phones, etc.). The police caught the thief with the electronic devices and that was all he was looking for.

He said most likely, the farmers would plant (b)(6), (b)(7)(C) wheat. There was one time when a farmer decided to quit participating in having the field test plots. When the wheat was harvested he went back in and planted (b)(6), (b) and then wheat. (b) claimed that he plowed the area of the field where the test plot was every other month for a year to control any volunteers, which may have shown up. (b)(6), (b)(7)(C)

He said that his research planter (b)(6), (b)(7)(C) was easy to clean and he cleaned it with compressed air before it left his site. He is 100% confident no seeds remained in the planter. The planter attached to the tractor with a three-point hitch. The tractor tires would not pick up seed because he planted in dry conditions. He used a Vogel thresher to thresh seed.

(b)(6), (b)(7) said when transporting seed and plants they were doubly contained. The seeds



were sealed in number 7 coin envelopes and put in a cardboard box. Live plants were shipped in an ice chest inside a cardboard box. (b)(6), (b) could not remember when shipping seed and or material if they used Fedex or UPS, but they used a tracking system so there was a record of all shipments. To the best of his knowledge, there was never a lost package of seed. When finished with the (b)(6), (b) wheat, he shipped every single seed back to (b)(6), (b) what happened to the seed after that, he has no idea.

(b)(6), (b) was asked if any of the breeding trials produced herbicide resistant wheat accidentally; He replied, he was concerned about this so he would take extra precautions. His research plots were (b)(6), (b)(7)(C). He created a (b)(6), (b)(7)(C) with Roundup® to separate the trials; this also made it much easier to harvest. (b)(6), (b) claims; he never found herbicide resistant wheat growing in the (b) after treatment with Roundup®.

He said he over saw the compliance at his site and no one from the USDA ever inspected his sites. (b) the scientist who developed the (b)(6), (b)(7) event oversaw the site. Only people with the company visited the site. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) visited his site. His office where the seed was stored is (b)(6), (b)(7)(C)

He had three plots of RR wheat. One plot near (b)(6), (b)(7) one near (b)(6), (b)(7) and one (b)(6), (b)(7)(C)

- The (b)(6), site was seeded with plants sent from (b)(6), (b) (b)(6), (b)(7)(C) They planted live plants, each plant was hand harvested. These lines crossed and the F1 seed was sent to (b)(6), (b)

- At the (b)(6), (b), he was growing (b)(6), (b)(7)(C)

- At (b)(6), he had segregating material (b)(6), (b)(7)(C)

Who else was working collaborating on RR wheat?

(b)(6), (b)(7)(C)

(b)(6), (b) said he was sent a limited number of varieties of wheat for their RR events. He was sent (b)(6), (b)(7)(C)

name for the varieties they used. Express was the best variety he had at the time. (b)(6), (b)(7)(C) owned Express. If he had his field notes, he would have a better chance of being able to tell us what he was growing in these field trials.

(b)(6), (b)(7)(C) said Express was not able to stop rust until 2003, when Expresso came on the scene. He said the (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) took it upon himself to develop Expresso. (b)(6), (b)(7)(C) used (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Each of these plants had a desirable rust resistance. (b)(6), (b)(7)(C) then crossed these (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) gave (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) He said that he did not do breeding trials with RR wheat, but only increased yield to provide seed.

Concerning Expresso, (b)(6), (b)(7)(C) said he only received the (b)(6), (b)(7)(C) seed from (b)(6), (b)(7)(C) in the (b)(6), (b)(7)(C) development and it was still segregating. He said the seed from (b)(6), (b)(7)(C) went to (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Then they knocked back plants which were not breeding true. Without his field books he cannot remember which year that was. These came from (b)(6), (b)(7)(C) where they grew it in a growth chamber. The growth chamber was a closed system. Each plant in the growth chamber (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) does not know how many plots. With the growth chamber and growing things in (b)(6), (b)(7)(C) he can grow two generations per year. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) The BC seed which (b)(6), (b)(7)(C) received were finished in one sense but not in another sense. It had offtypes. He selected them and sent to (b)(6), (b)(7)(C) for yield increase.

(b)(6), (b)(7)(C) said he did not receive filial generations of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Without his notes, he does not recall if he did breeding trials with these.

We asked (b)(6), (b)(7)(C) if he shared these seeds with other researchers, companies, people, or person. He replied that it is the philosophy to share seeds for the public good. (b)(6), (b)(7)(C) did it. He gave some samples to (b)(6), (b)(7)(C) He knows that several researches were using it in breeding trials.

(b)(6), (b)(7)(C) admitted, he did conducted field trials with the research seeds developed by (b)(6), (b)(7)(C) But, he said, (b)(6), (b)(7)(C) did not send him any seeds. He said he believes (b)(6), (b)(7)(C) sent all of the seeds to his boss, (b)(6), (b)(7)(C)

I asked (b)(6), (b)(7)(C) many questions about the actual wheat test plots where he did his research with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) responded by saying he used some of the same plot sites; however, he would not use the same site on two consecutive years. He used many different varieties of wheat in the



test plots including released varieties, elite varieties and experimental lines. Without his field books he does not remember what all of these lines would have been. He does not remember any instance of a breach in the security or safeguarding to the test plots but related the plots were not under guard or behind locked fences.

(b)(6), (b) said the equipment used in test plots were thoroughly cleaned prior to being removed from a field and prior to being used in another field. He said they did not borrow or lend equipment so is certain there was no contamination or cross contamination with the (b)(6), (b)(7) research plots. He said when transporting equipment, seed or plant material, which contained the (b)(6), (b)(7) event they always contained everything to prevent, and spillage to maintain the safeguarding required by APHIS and (b)(6), (b) (b)(6), (b) described how he always maintained at least minimum spacing (according to APHIS and (b)(6), (b) guidance) between plant varieties and plant species as required.

(b)(6), (b) said he does not remember exactly (usually (b)(6), what was planted in the test plot sites the year following but that he did, on occasion use (b)(7) the same site(s), but never in successive years with same plant types. He related that he always followed USDA and (b)(6), (b) guidance and protocols for volunteer monitoring whether it was for one, two or three years after. Through the years the guidelines from USDA changed (not sure when) and (b)(6), (b)(7) guidelines changed (not sure when) but the instructions were always followed. (b)(6), (b) said to the best of his recollection there were no USDA or State officials ever out to monitor or check on any of these test plots. (b)(6), (b) and or USDA had requirements about how long the plots were supposed to be monitored for volunteers and destruction of any volunteers, which were discovered, all of these protocols were followed. (b)(6), (b) said to the best of his knowledge he never had an instance where the wrong material/seed was sent or delivered. He is confident that they did not have any material, which was not accounted for.

Near the end of our interview I asked (b)(6), (b) if he had any ideas as to how this wheat could have been introduced into the farmers' field. (b)(6), (b) said he did not know how this could have happened, the testing with glyphosate resistance had not been going on for almost (b) years.
(6)

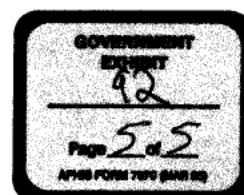
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on November 26, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



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OR120018_BR_002841

Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C).

On 12/12/13, I met with (b)(6), (b)(7) (b)(6), (b)(7) who is a (b)(6), (b)(6), (b)(7)(C) (b) spent (b)(6), (b)(7)(C) (b)(7) or a variation of one or both of them. He said he worked as a (b)(6), (b)(7)(C) for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) in (b)(6), (b)(7)(C)

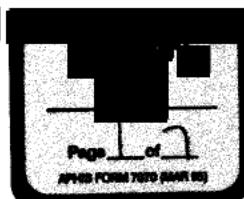
bought (b)(6), (b) (b)(6), (b)(7)(C) contact information is (b)(6), (b)(7) (home), (b)(6), (b)(7) (mobile) (b)(6), (b)(7)(C) (e-mail address). This meeting took place at Monsanto Company, 800 Lindbergh Blvd., St. Louis, MO.

Sharon M. Talley, Ph.D. Biological Scientist, Western Compliance Assurance Branch USDA - APHIS - BRS (Dr. Talley) accompanied me to this interview to act as a subject matter expert in plant genetics and the molecular makeup in wheat.

Also present during the interview was (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b) and (b)(6), (b)(7)(C) (b)(6), (b)(7) (b)(6), (b)(7)(C) is a partner at the law firm of (b)(6), (b)(7)(C) His contact information is (b)(6), (b)(7)(C)

(b)(6), (b) is a partner in the law firm of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) and (b)(6), (b) attended the meeting at the request of (b)(6), (b) to represent their interests and to provide guidance for (b)(6), (b)(7) if needed. (b)(6), (b)(7)(C)



(b)(6), (b)
(7)(C)
- (b)(6), (b) (7)(C)
[REDACTED]
[REDACTED]

We asked (b)(6), (b) about a note in a field book, which said, "after subbing dump on RR plots (b) He explained that subbing is a term referring to a way of testing the harvested grain for protein, weight, etc. What happens is; they will take the harvested grain and use a probe to obtain a sample of the grain. Using this sample, they will test for whatever they want. If the remainder of the grain is not wanted/needed/used, this grain is then dumped & destroyed. So the term "after subbing dump" means, they took the remaining grain (after subbing) and dumped it in the Roundup ready plot and destroyed it by disking it into the soil.

We asked (b)(6), (b) about his work with (b)(6), (b)(7)(C) at the University of California at Davis, CA. He responded by saying he started working with (b)(6), (b)(7)(C) in the (b)(6), (b)(7)(C) started working with (b)(6), (b)(7)(C) owned by (b)(6), (b) and he wanted to have the permission to use the variety during the development of Patwin. During the development of Patwin, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b) explained the "Wheat grower's code of ethics" says, a researcher/breeder may not backcross a variety more than twice without obtaining permission from the entity who owns the variety used. That being said, he explained what (b)(6), (b)(7)(C) did with Patwin was of no concern to (b)(6), (b) In about (b) (b)(6), (b)(7)(C) needed to get permission from (b)(6), (b) to further develop a stripe rust resistant variety using Express as the recurrent parent. This took place in the (b)(6), (b)(7) (b)(6), (b)(7)(C) used (b)(6), (b) (7)(C)

We asked (b)(6), (b) if there are other varieties, in which he knows which are closely related to or share a similar lineage as Expresso. He said he does not remember all of the varieties, which are closely related. How closely related how similar are we looking for. (b)(6), (b) went on to name the varieties that came to mind; these included Summit, Blanca Grande, and Samson. There was another in the Pacific Northwest but he could not remember it. He went on to say many people used Express because it was such a popular variety, which everyone liked.



We talked with (b)(6), (b) about an entry in one of the field books, which referred to him selecting out the white variants of seeds. (b)(6), (b) said when he was doing this was in the early (b)(6), (b)(6), (b) had a concern because (b)(6), (b)(7)(C)

I asked (b)(6), (b) if he had ever worked at selecting the white variant of Espresso. He told me that to the best of his knowledge, he did not and he never sorted the white variant for RR wheat. When asked if he had shared any of the white variant seeds with other cooperators, (b)(6), (b) said he may have but does not remember.

Near the end of the interview, (b)(6), (b) asked (b)(6), (b) to tell us ((b)(6), (b) and me) about correspondence he had received from (b)(6), (b)(7)(C)

(b)(6), (b) said, in (b), (b)(6), (b) ((b)(6), (b)(7)(C) (b)(6), (b) developed this variety by (b)(6), (b)(7)(C)

(b)(6), (b) said (b) sent him some e-mails (b)(6), (b)(7)(C)

(b)(6), (b) said it was not his decision to release a variety or not this was up to a board or the administration, not his place to say anything. He also told us he was just about to (b)(6), (b)(7) this variety was ready to be released so he did not worry about the e-mails he received from (b)(6), (b)(7)(C) He said he just sent these e-mails off to his supervisor.

(b)(6), (b) said he felt quite a lot of tension and anger coming from (b)(6), (b)(7)(C) (b) said some things in the e-mails which were uncomfortable and aggressive. We asked if there had ever been tension with (b)(6), (b)(7)(C) prior to this. (b)(6), (b) said he had never had any tension with (b)(6), (b)(7)(C) (b)(6), (b) said (b)(6), (b)(7)(C) did not make any threats, he was (b)(6), (b)(7)(C)

I asked (b)(6), (b)(7) (b)(6), (b)(7)(C) and (b)(6), (b) if we could obtain copies of the e-mails. They told me they were in the process of getting those e-mails and would get them to us as soon as they had them. (b)(6), (b) said he was not trying to point a finger at or blame (b) for the release of RR wheat in Oregon but felt they needed to let us know what had happened.

We also told everyone in the room we would like to obtain copies of the field letters of



verification. These letters of verification should show that no regulated RR wheat remained with cooperators or employees. We also asked for any documentation which verifies that all material was destroyed (b)(6). On 7/1/2013, (b)(6), (b) mentioned that they had these letters in a report titled; Scientific review supporting (b)(6), (b)(7) wheat event limited to single field location- Comprehensive assessment of event safety, seed stocks, and grain

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. I executed this declaration on December 26, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



(b)(6), (b)(7)(C)

Subject:

FW: Attorney Client Privileged FW: New (b)(6), with single resistance gene

From: (b)(6), (b)(7)(C)

Sent: Tuesday, May 15, 2012 4:46 PM

To: (b)(6), (b)(7) (b)(6), (b) 1808]

Cc: (b)(6), (b)(7)(C)

Subject: (b)(6), (b)(7)(C)

(b) (cc (b)(6),

I think that your assumption that (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

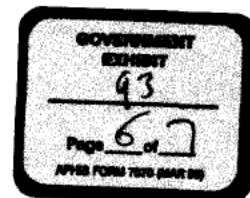
If you are pressured to release this one, please convince (b)(6), (b) to accelerate the incorporation of an additional source of resistance ASAP and to produce a rapid replacement of the new (b)(6), with a single resistance gene.

If possible, forward this email to the people in charge in (b)(6), (b)

Best regards

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



This e-mail message may contain privileged and/or confidential information, and is intended to be received only by persons entitled to receive such information. If you have received this e-mail in error, please notify the sender immediately.

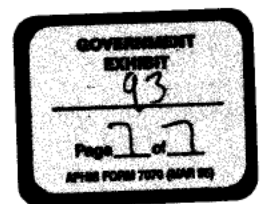
Please delete it and

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Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C) I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), (b)(7) Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B- (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7) and my cell phone number is (b)(6), (b)(7)(C)

On 12/05/13, I spoke, by phone, with (b)(6), (b)(7)(C) (b)(6), (b)(6), (b)(7)(C) who is a (b)(6), former employee of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) explained, in (b) he started working for (b)(6), (b)(7)(C) (b)(6), (b) and this entity changed (b)(6), (b)(7) (different times during his employment. He went on to explain, he had never worked for (b)(6), (b)(7)(C) when (b)(6), (b) (b)(6), (b) (7)(C) (b)(6), (b) His contact information is (b) (6), cell phone. (b)

Sharon M. Talley, Ph.D. Biological Scientist, Western Compliance Assurance Branch USDA - APHIS – BRS (Dr. Talley) accompanied me to this interview to act as a subject matter expert (SME) in plant genetics and the molecular makeup in wheat.

Also present during the interview via a conference line; were (b)(6), (b)(7)(C) (b) and (b)(6), (b)(7)(C) (b)(6), (b) (b)(6), (b)(7)(C) is a partner at the law firm of (b)(6), (b)(7)(C)

(web site). (b)(6), (b) is a partner in the law firm of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) His contact information is (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) (web site). (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) attended the conference call at the request of (b)(6), (b)(7)(C) to represent their interests and to provide guidance for (b)(6), (b)(7)(C) if needed.

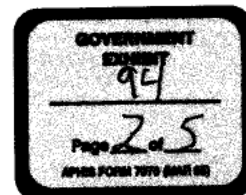
I asked (b)(6), (b)(7)(C) asked about his employment history. (b)(6), (b)(7)(C) responded by saying in (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) said most of those years he was not a field researcher but he was in the administration of the company. When Monsanto purchased (b)(6), (b)(7)(C) in 2009, (b)(6), (b)(7)(C) w (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) remained working for (b)(6), (b)(7)(C)

When asked about his research with Roundup Ready (RR) wheat, (b)(6), (b)(7)(C) stated; he was not a wheat researcher or wheat breeder. He went on to explain, he could be considered an assistant breeder because he assisted other breeders when the need would arise. None of the projects were his but he assisted whenever the need arose. When he would go and visit a site and some work needed to be done, he would help. He was aware of the research that took place but the research was not his, it was under the direction of either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) His responsibility was in the (b)(6), (b)(7)(C) of the company, he was not a field researcher.

To the best of his recollection;

- The RR wheat projects must have started after 1995 or 1996 (does not remember)
- Most of the RR research was in the area of durum wheat.
- (b)(6), (b)(7)(C) worked primarily on Northern wheat and barley.
- (b)(6), (b)(7)(C) primarily with worked with durum and southern varieties of wheat.
- Both (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) had multiple sites every year. He said he visited all of the sites every year.



- RR wheat was limited to a few areas and he does not know/remember the sites.
- He does not have any of the paperwork on these sites. He said we [IES] would have to rely on any documents that we have.

(b)(6), (b)(7)(C) explained to the best of his knowledge at no time was transgenic and non-transgenic ever grown or mixed in any way. At all times RR wheat was kept isolated, according to protocols, "and usually we exceeded the protocols".

When asked if he knew of any contamination or cross contamination of RR wheat, (b)(6), (b)(7)(C) said "never". He went on to explain how the field workers know the protocols "and I can say unequivocally they were extremely careful". (b)(6), (b)(7)(C) was the (b)(6), (b)(7)(C) scientist involved in the RR trials. (b)(6), (b)(7)(C) was responsible for making sure everyone who worked in the RR plots knew and followed the protocols set up by (b)(6), (b)(7)(C) and whatever protocols the USDA had set up.

I asked (b)(6), (b)(7)(C) when (b)(6), (b)(7)(C) started working to develop a rust resistant variety of Express and when they [(b)(6), (b)(7)(C)] first started working with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) from the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) He went on to say; he is not sure, when he (or (b)(6), (b)(7)(C)) started talking with (b)(6), (b)(7)(C) about working on developing a (b)(6), (b)(7)(C) but it was probably around (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) said, to the best of his knowledge (b)(6), (b)(7)(C) never did send any of the (b)(6), (b)(7)(C) The first seed received from (b)(6), (b)(7)(C) on this was on (b)(6), (b)(7)(C)

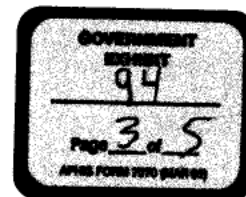
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) to grow out and continue their selection for the refinement of the seed. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



Being in the administration of the company, I asked (b)(6), (b)(7)(C) about the breeding practices and tidiness of (b) and (b). He answered by telling us "they were the best in the industry". They were extremely conscientious. When working with RR wheat they were very guarded and followed every protocol and safeguard and more. (b)(6), (b)(7)(C) has no knowledge of anything, which would concern him as a potential escape.

We asked (b)(6), (b)(7)(C) many questions about the RR wheat test plots and the follow-up in those plots. He replied by explaining, never were the same plot sites used year after year. In all cases, they would have fresh ground but it could be adjacent to what they had used in previous years. RR wheat plots were always left fallow for two years. The plots were monitored for volunteers during those two years and then the fields were usually planted into either alfalfa or potatoes. He went on to explain that the RR fields were monitored by multiple visits during the growing year. (b)(6), (b) supervised the monitoring of the volunteers. He advised there should be reports, which would show the presence or lack of volunteers for two years after harvest of RR wheat. They used their own equipment for planting and for harvest. The only time they did not use their own equipment was when they would be summer fallowing a field. They used the same equipment for both regulated and non-regulated plots. They did not have a dedicated planter but they were very careful to make sure it was cleaned and had zero seed.

When they received transgenic seed a third party contractor would deliver it and a (b)(6), (b) employee or an (b)(6), (b)(7) company would be on site. The third party contractor would bring the seed to (b)(6), (b) everyone would confirm the inventory and monitor the planting.

(b)(6), (b)(7)(C) added, to the best of his knowledge they never received seed, which was unplanned. They never had an instance of unexpected wheat coming up in a field. Volunteers would come up but none of them were RR wheat. He said he does not know of any domestic animal incursions but there could have been wildlife incursions but does not remember any specific instance. To the best of his knowledge, no meteorological event caused them concern.



(b)(6), (b)(7)(C) said (b)(6), (b) personnel visited every RR wheat site they ever planted. He could not recall if any state or federal officials who visited one of their RR wheat sites. Occasionally they would have a field day at a RR wheat site, associate seed companies would be the only folks who attended.

(b)(6), (b)(7)(C) concluded by saying, all of us in the wheat industry are very concerned about what happened and we are all puzzled. Any hint of this would have been a serious topic.

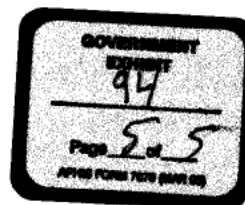
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on December 19, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES



Declaration of (b)(6), (b)(7)(C)

I declare that my name is (b)(6), (b)(7)(C). I am over the age of eighteen and I am fully competent to make this declaration. I know each of the facts set forth herein to be true based on personal firsthand knowledge:

I am currently employed as a (b)(6), (b)(7)(C) Investigator with the United States Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS), Investigative and Enforcement Services (IES). I have been employed in this position for approximately (b)(6), (b)(7)(C) years. My business address is USDA, APHIS, IES, 2150 Centre Avenue, Bldg. B (b)(6), (b)(7)(C) Fort Collins, CO 80526. My office telephone number is (b)(6), (b)(7)(C) and my cell phone number is (b)(6), (b)(7)(C).

On 09/12/13, I met with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) who is a (b)(6), (b)(7)(C) investigator. He is also a (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). His contact information is (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (e-mail), and (b)(6), (b)(7)(C) (web site).

Also present during the interview was (b)(6), (b)(7)(C) (Investigator (b)(6), (b)(7)(C) USDA, APHIS, IES, 2150 Centre Avenue, Bldg. (b)(6), (b)(7)(C), Fort Collins, CO 80526. His office telephone number is (b)(6), (b)(7)(C) and his cell phone number is (b)(6), (b)(7)(C). Investigator (b)(6), (b)(7)(C) is an investigator who was there to assist in the interview process.

The purpose of my contacting (b)(6), (b)(7)(C) was to obtain information from him regarding his work and or involvement with research conducted by him on glyphosate resistant wheat and specifically with the introduction on (b)(6), (b)(7)(C) transformation. I also talked with (b)(6), (b)(7)(C) about the different varieties of wheat he used in this research, whether he had experienced any occurrences of possible contamination or cross contamination in any of the (b)(6), (b)(7)(C) testing with which he was involved.

(b)(6), (b)(7)(C) said, we do not work (and have never worked) with glyphosate resistance. We do not use transgenic wheat in our breeding or field program. We only use it occasionally as a tool in validation of research questions in greenhouse experiments. He went on to say that, (b)(6), (b)(7)(C) of his research is done in the greenhouse and he does not do any conventional field test plots.

I asked (b)(6), (b)(7)(C) if he had ever worked with Express or Expresso with the (b)(6), (b)(7)(C) transformation event. (b)(6), (b)(7)(C) restated that he does not do work with glyphosate resistance and has never worked with any (b)(6), (b)(7)(C) transformed wheat. He stated that (b)(6), (b)(7)(C)

He said (b)(6), (b)(7)(C) out of (b)(6), (b)(7)(C) had him (b)(6), (b)(7)(C). To (b)(6), (b)(7)(C) he

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(7)(C)

To the best of his knowledge he never received any
GMO wheat.

(b)(6), (b)(7)(C) explained that his work was primarily for the development and
improvement of wheat for (b)(6), (b)(7)(C). All of his work is done in
greenhouses and they do not do any grow-outs of seed.

I asked (b)(6), (b)(7)(C) if he had any seed from his testing/ research and if so may we obtain
samples of the seed. The researcher who is doing the DNA testing is looking to grow out
and test whatever may lead to a discovery of where this GMO wheat may have originated.

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) explained that he had just gotten back a few hours ago from a one day trip to
(b)(6), and he did not have much time. He said he had seven hours to prepare for his trip to
(b)(7)

(b)(6), (b)(7)(C) . He was very polite and wanted to answer all of our questions but if we did not have anything else, he really did need to get going.

I thanked (b)(6) (b)(7)(C) for his time and explaining the process of his work. He had his lab assistant gather the seeds and put them in envelopes for me.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on September 20, 2013.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Investigator

USDA-APHIS-IES

(b) (4)



